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DRIVING THE LAST SPIKE OF THE UNION PACIFIC
SCENE AT PROMONTORY POINT, UTAH, MAY 10, 1869

World's **B**est **H**istories

UNITED STATES

FROM THE

DISCOVERY OF THE NORTH AMERICAN
CONTINENT UP TO THE PRESENT TIME

BY

JULIAN HAWTHORNE

(— TO 1783)

JAMES SCHOULER

(1783 TO 1865)

E. BENJAMIN ANDREWS

(1866 TO 1904)

Illustrated



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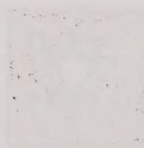
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CONTENTS.

THE UNITED STATES IN PROCESS OF RECONSTRUCTION.

Accession of Andrew Johnson—Disbanding the Federal Armies—
Proclamation of Peace—Cost of the War—Status of the Late
Confederate States—The Thirteenth Amendment—President's
Plan of Reconstruction, and Steps Before His First Annual
Message—Congressional Plan—Inevitable Conflict between the
President and Congress—The Freedmen's Bureau—Evil Effects—
Supplementary Freedmen's Bureau Act Vetoed—Indiscreet Con-
duct of the President—First Civil Rights Act—Veto Overridden
—Congress Proposes the Fourteenth Amendment—Tennessee Re-
admitted—Johnson's Second Annual Message—The First Recon-
struction Act and the Tenure of Office Act—The Veto and Ac-
companying Argument—Veto Overridden—Supplementary Re-
construction Laws—Veto Ineffectual—South Invaded by Civil
Adventurers, "Carpet-Baggers"—Stanton Suspended—Congress
Restores Him to Office—Johnson Defies the Tenure of Office Act
—Attempt at Impeachment of the President—Failure—Presi-
dential Nominations—Grant—Seymour—Grant Elected—Con-
gress Proposes the Fifteenth Amendment—The End of Recon-
struction.

9

CHAPTER I.

THE UNITED STATES AT THE CLOSE OF RECONSTRUCTION.

Land and People in 1870—Territories—Railroads in the West—
Fenian Movements—Boston's Peace Jubilees—The Great Cities
—The Chicago Fire—The Boston Fire—The Tweed Ring—
Tweed's Escape and Capture—Financial Condition of the Na-
tion—Ships—Army and Navy—Reconstruction, the Problem—
The Presidential and the Congressional Plan—Iron Law of
March 2, 1867—The Process of Reconstruction—Situation in
1870—Debate on the Coercion of States—Outcome—The Test
Oath—All States at Last again Represented in Both Houses of
Congress.
U. S. VOL. 8—I.

35

CHAPTER II.

GENERAL GRANT AS A CIVIL CHIEF.

The Republican Party in 1870 — Its Defects — President Grant's Shortcomings — His First Cabinet — The Party's Attitude Toward the Tariff — Toward the Democracy — Toward Re-enfranchisement at the South — The Liberal Movement — The Democrats — The "New Departure" Among Them — Vallandigham — John Quincy Adams — Reconstruction — Errors Committed Therein — The Fifteenth Amendment — The Ku-Klux Klan — The Force Bill — Re-enfranchisement at the South — Grant and the Nation's Finances — Gould and Fisk — Black Friday — The Treaty of Washington — Relations with Cuba — Proposed "Annexion" of Santo Domingo — Sumner and the Administration	51
---	----

CHAPTER III.

THE GREELEY CAMPAIGN.

The Rise of Horace Greeley — The "Tribune" — Greeley and Grant — The Liberal Republican Movement — The Spoils System — Shepherd at Washington — Scandals Connected with the Collection of the Revenues — Reversal of Hepburn <i>vs.</i> Griswold — Grant and Greeley Nominated — Mixed Politics — Both Candidates Severely Criticised — A Choice of Evils — A Bitter Campaign — Difficulties Confronting Greeley — Grant Elected — Greeley's Death — His Character — Continuation of Republican Policy at the South — Force and Anarchy in Louisiana	73
--	----

CHAPTER IV.

THE GENEVA AWARD AND THE CREDIT MOBILIER.

Outcome of the Washington Treaty — The " <i>Alabama</i> Claims" — Vain Efforts at Settlement — The Geneva Tribunal — Rules for its Guidance — Questions Answered By It — Its Decision — The Northwestern Boundary Settlement — The Credit Mobilier Story — Enthusiasm for the West — Vastness of that Section — The Rush Thither — The Pioneers — Land-Grabbing — Grants for Transcontinental Railways — Inception of the Union Pacific Company — The Credit Mobilier Company — Oakes Ames and his Contract — Stock Sold to Congressmen — The "Sun's" Publication — The Facts — Ames's Defence — Censure of Him by the House of Representatives — His Death — Reasons for the Sentiment against Him	94
---	----

CHAPTER V.

"CARPET-BAGGER" AND "SCALAWAG" IN DIXIE.

Grant's Re-election and the South—Court Decisions Confirming State Sovereignty—The Louisiana "Slaughter-House Cases"—*Osborn vs. Nicholson*—*White vs. Hart*—Desolation at the South after the War—Discouragement—Intemperance, Ignorance—Slow Revival of Industry—Social and Political Conflict—The "Scalawag"—The "Carpet-Bagger"—Good Carpet-Baggers—Their Failings—Resistance—Northern Sympathy With This—The Freedmen—Their Vices—Their Ignorance—Foolish and Corrupt Legislation—Extravagant Expenditures in Various States—In Mississippi—In Georgia—In South Carolina—Overthrow of Many Carpet-Bag Governments—Violence Still, but often Exaggerated. 110

CHAPTER VI.

DECLINE OF THE TRANSITIONAL GOVERNMENTS IN SOUTH CAROLINA, ARKANSAS, MISSISSIPPI, AND LOUISIANA.

Gen. Sherman on the Southern Problem—Reckless Legislation in South Carolina—Appeal of the Taxpayers' Union—Gov. Chamberlain's Reforms—The Conflict in Arkansas—Factions—The Stake Fought For—A New Constitution—Gov. Garland Elected—Report of the Poland Committee—The Vicksburg "War"—*Mayor vs. Governor*—President Grant will not Interfere—Senator Revels on the Situation—The Mississippi Reconstructionists—The Kellogg-McEnery Imbrolio in Louisiana—Metropolitans and White Leaguers Fight—The Kellogg Government Overthrown but Re-established by Federal Arms—Protests—The Election of Nov. 2, 1874—Methods of the Returning Board—Gen. Sheridan in Command—Legislature Organized Amid Bayonets—Members Removed by Federal Soldiers—Sheridan's Views—Allegations Contra—Public Opinion at the North—The "Wheeler Adjustment." 127

CHAPTER VII.

INDIAN WARS AND THE CUSTER DEATH.

Civilized Indians in 1874—Grant's Policy for the Wild Tribes—Difficulties of the Indian Commissioners—Indians' Wrongs and Discontent—Troubles in Arizona—Gov. Safford's Declaration—Massacre of Apaches in 1871—Report of Federal Grand Jury—The Apaches Subdued—Grievances of the Sioux—The Modoc

War and Gen. Canby's Death—Troubles in 1874—The Mill River Disaster in Massachusetts—The Sioux Rebellion—The Army's Plan of Campaign—Custer's Part—His Death—How the Battle Went—"Revenge of Rain-in-the-Face"—Custer Criticised—And Defended. 149

CHAPTER VIII.

"THE YEAR OF A HUNDRED YEARS"—THE CENTENNIAL EXPOSITION AND THE HAYES-TILDEN IMBROGLIO.

Origin of the Centennial Exposition—Philadelphia Landmarks—The Exposition Buildings—The Opening—The Various Exhibits—Attendance—A Political Crisis—Grant and Jewell—The Belknap Disgrace—Another Reform Movement—Fear of a Third Term for Grant—Issues between the Parties—Hayes and Tilden Nominated—Their Letters of Acceptance—The Campaign—Prophecy of Trouble over the Presidential Count—The Twenty-second Joint Rule—Result of the Election in Doubt—Cipher Despatches—Queer Ways of Returning Boards—Fears and Hopes—The Electoral Commission—The Case of Florida, of Louisiana, of Oregon, of South Carolina—Hayes Declared Elected—An Electoral Count Law. 169

CHAPTER IX.

HAYES AND THE CIVIL SERVICE.

Hayes's Character—His Cabinet—End of Bayonet Rule at the South—This the Result of a "Deal"—"Visiting Statesmen" at the Louisiana Count—Hayes Favors Honesty—His Record—Hayes and Garfield Compared—The Spoils System—Early Protests—A Civil Service Commission—Its Rules—Retrogression under Grant—Jewell's Exit from the Cabinet—Hoar's—Butler's "Pull" on Grant—Collector Simmons—The Sanborn Contracts—Bristow a Reformer—The Whiskey Ring—Myron Colony's Work—Plot and Counter-Plot—"Let no Guilty Man Escape"—Reformers Ousted—Good Work by the Press—The "Press-Gag"—First Democratic House Since the War—Hayes Renews Reform—Opposed by Conkling—Fight over the New York Collectors—The President Firm and Victorious. 189

CHAPTER X.

"THE UNITED STATES WILL PAY"

Back to Hard Money—Act to Strengthen the Public Credit—Difficulty of Contraction—Ignorance of Finance—Debtors Pinched—The Panic of 1873—Causes—Failure of Jay Cooke & Co., and

of Fiske & Hatch—Black Friday No. 2—On Change and on the Street—Bulls, Bears, and Banks—Criticism of Secretary Richardson—First Use of Clearing-House Certificates—Effects and Duration of the Panic—An Important Good Result—Resumption and Politics—The Resumption Act—Sherman's Qualifications for Executing It—His Firmness—Resumption Actually Begun—Magnitude and Meaning of this Policy—Our Bonded Debt Rapidly Reduced—Legal Tender Questions and Decisions—*Juilliard vs. Greenman*—The "Fiat-Greenback" Heresy—"Dollar of the Fathers" Demonetized—Not by Fraud, but Without Due Reflection—The Bland Bill and the "Allison Tip"—The Amended Bill Vetoed, but Passed—Subsequent Silver Legislation 210

CHAPTER XI.

AGRARIAN AND LABOR MOVEMENTS IN THE SEVENTIES.

The "Grangers"—Their Aims—Origin of the Inter-State Commerce Act—Demand for Cheap Transportation—Illinois's "Three-Cent War"—Court Decisions—Land-Grant Colleges—Their Significance—Various Labor Congresses and Platforms—Rise of Labor Bureaus—The National Department of Labor—Its Work, Methods, and Influence—Value of the State Bureaus—Contract-Labor Law—The Greenback Party—Peter Cooper and Gen. Butler—Violence in the Labor Conflict—Causes—Combinations of Capital—Of Laborers—Black List and Boycott—Labor War in Pennsylvania—Methods of Intimidation—The "Molly Maguires"—Murder of Alexander Rea—Power and Immunity of the Mollys—Plan for Exposing Them—Gowen and McParlan—Assassination of Thomas Sanger—Gowen's Triumph and the Collapse of the Conspiracy—Great Railway Strike in 1877—Riot at Pittsburgh—Death and Destruction—Scenes at Reading and Other Places—Strikes Common from this Time On 232

CHAPTER XII.

ANYTHING TO BEAT GRANT.

Presidential Possibilities in 1880—Grant the Lion—Republican Convention—A Political Battle of the Wilderness—Garfield the Dark Horse—Grant's Old Guard Defeated but Defiant—Democrats Nominate Hancock—"The Ins and the Outs"—Party Declarations—The Morey Forgery—Blaine Can't Save Maine—Conkling's Strike Off—Garfield Elected—"Soap" *vs.* Intimidation and Fraud—From Mule Boy to President—Hancock's Brilliant Career—The First Presidential Appointments—Conkling's Frenzy and His Fall—The Cabinet—Garfield Assassinated—Guiteau Tried and Hanged—Star Route Frauds—Pendleton Civil Service Act..... 251

CHAPTER XIII.

DOMESTIC EVENTS DURING MR. ARTHUR'S ADMINISTRATION.

Mr. Arthur's Dilemma—His Accession—Responsibility Evokes His Best—The Presidential Succession Question—Succession Act Passed—Electoral Count Act Passed—Arthur's Cabinet—Condition of the Country in 1881—Decadence of Our Ocean Carrying—Tariff Commission of 1882 and the Tariff of 1883—Mahone and the Virginia "Readjusters"—Mahone's Record—His Entry Into the Senate—President Arthur and the Chinese—Origin of the Chinese Question—Anson Burlingame—The 1878 Embassy—Chinese Throng Hither—Early California—The Strike of 1877 Affects California—Rise and Character of Denis Kearney—His Programme—The "Sand-Lot" Campaign—Kearney's Moderation—He is Courted—And Opposed—His Constitutional Convention—Its Work—Kearneyism to the Rear—The James Desperadoes—Their Capture—The Yorktown Celebration—Mementoes of Old Yorktown—The Pageant—"Surrender" Day—The Other Days—Close of the Fete—Flood and Riot in Cincinnati..... 273

CHAPTER XIV.

MONROE'S DOCTRINE AND ARTHUR'S PRACTICE.

Uncle Sam in Africa—The Brussels Conference of 1876—Congress of 1877—The United States Represented—Henry M. Stanley—His Career—His Fame—Darkest Africa—The Congo Free State—The United States Helps in its Formation—Scramble for "a Piece of Africa"—Arthur's Policy Criticised—Berlin Conference of 1884—Its Objects—Its Results—De Lesseps at Panama—Origin of the Clayton-Bulwer Treaty—Its Provisions—Its Resurrection in 1880—President Hayes's Attitude—Blaine's Controversy with Lord Granville—Frelinghuysen's Contentions—Great Britain's Position—Blaine Criticised at Home—De Lesseps's Failure at Panama—Early Plans for Piercing the Isthmus—The Nicaragua Canal Scheme—Joys and Troubles in Nicaragua—Congressmen Favor United States Aid for the Enterprise—Description of the Proposed Canal—Difficulties and Cost—Feasibility and Profitableness—Opposition—Growing Intimacy between the United States and Spanish America—The Commission of 1884—Panama Congress of 1825—John Quincy Adams and Clay—Later Efforts at a Pan-American Union—Trepidation at Walker's Filibustering Expeditions—Union Movements in 1864, 1877, 1880, 1881, and 1888—David Davis Proposes a Central and South American Railway—Frelinghuysen's Suggestions—The Congress of 1889-90—Scope of its Possible Deliberations—The Delegates' "Junket" Across the Continent—Difficulties and Misunderstandings—The Reciprocity Idea—Outcome Meagre... 298

CHAPTER XV.

"FARTHEST NORTH."

The *Jeannette* Expedition—Its Officers—Its Plan—The Start—Suspense and Search—Rumors—Tidings at Last—Course and Fate of the Expedition—Melville Finds Nindeman and Noros—DeLong's End—His Journal—New Polar Research—The Greely Expedition—The *Proteus's* Passage Out—The *Neptune's* Effort at Relief—The *Garlington* Cruise in 1883—Wreck of the *Proteus*—Greely Meantime—Expedition of 1884—Schley's Enterprise—"News from Greely"—His Discoveries—"Farthest North"—Experiences of His Band in the Arctic Regions—Their Course Southward—Could Any of Them be Alive?—The *Thetis* to the Rescue—Seven Starving Survivors—Life at Starvation Camp—Efforts for the English Meat—Rice's Death and Frederick's Heroism—The Death Roll—Rescue of the Seven—Their Condition—Homeward Bound—Arrival—No Official Praise—The Survivors Subsequently—Peary on Greenland's Icy Mountains—He Crosses Greenland in 1892—Geographical Discoveries—Peary's 1894-95 Tour—Value of These Explorations. 316

CHAPTER XVI.

THE PLUMED KNIGHT AND HIS JOUST.

The New Orleans Cotton Centennial—Buildings, Exhibits, and Influence—Political Situation in 1884—Presidential Candidates—Rise of James G. Blaine—Charges Against Him—His Prospects in 1876—Investigation of His Record—The Mulligan Letters—Dramatic Self-Vindication Before the House—Blaine and Knott—Blaine in Garfield's Cabinet—Peru and Chile—Blaine in Advance of His Party—Republican Convention of 1884—Lynch made Temporary Chairman—Effort to Unite upon Arthur—Scenes in the Convention upon Blaine's Nomination—The Mugwumps Bolt—Grover Cleveland—His Youth, Education, and Early Official Life—Governor of New York—Nominated by the Democratic National Convention—The Mugwumps Declare for Cleveland—Charges against Blaine—How Far True—"Rum, Romanism, and Rebellion"—Hendricks Pacifies Tammany—Cleveland Victorious. 337

THE UNITED STATES IN PROCESS OF RECONSTRUCTION.

Accession of Andrew Johnson—Disbanding the Federal Armies—Proclamation of Peace—Cost of the War—Status of the Late Confederate States—The Thirteenth Amendment—President's Plan of Reconstruction, and Steps Before His First Annual Message—Congressional Plan—Inevitable Conflict between the President and Congress—The Freedmen's Bureau—Evil Effects—Supplementary Freedmen's Bureau Act Vetoed—Indiscreet Conduct of the President—First Civil Rights Act—Veto Overridden—Congress Proposes the Fourteenth Amendment—Tennessee Re-admitted—Johnson's Second Annual Message—The First Reconstruction Act and the Tenure of Office Act—The Veto and Accompanying Argument—Veto Overridden—Supplementary Reconstruction Laws—Veto Ineffectual—South Invaded by Civil Adventurers, "Carpet-Baggers"—Stanton Suspended—Congress Restores Him to Office—Johnson Defies the Tenure of Office Act—Attempt at Impeachment of the President—Failure—Presidential Nominations—Grant—Seymour—Grant Elected—Congress Proposes the Fifteenth Amendment—The End of Reconstruction.

THE affairs of the distracted nation were in the utmost confusion when the death of Mr. Lincoln placed the Vice-President, Andrew Johnson, in the chair of State—(April 15, 1865). General Lee had made his surrender to General Grant in the memorable meeting at the village of Appomattox Court House on April 9, 1865, and the evacuation of Richmond had followed speedily. It was the general feeling that these two events marked the end of the war, though the process of surrender was not fully completed until May 26, 1865, when General E. Kirby Smith and the last ragged remnant of the armies of the Confederacy yielded and received from General Canby the same generous terms which had been accorded to the other Confederate armies. A few days before this last surrender the two vast armies of Grant and Sherman reached Washington on their homeward march. A

temporary platform had been erected in front of the White House from which the new President and his friends and associates witnessed the last grand review, from which, after a two days' pageant, the troops marched away to their respective States to be mustered out.

There might well have been great anxiety over the thought that about a million soldiers would shortly be turned loose upon society, but the process was completed¹ within a year, and the soldiers were immediately transformed into peaceful citizens such as they had been before the conflict opened. On June 13, 1865, President Johnson issued his proclamation announcing that "peace, order, tranquillity, and civil authority now exist in and throughout the whole of the United States of America," and the nation turned to face the serious problems of peace.

The national debt was enormous, aggregating \$2,850,000,000, to which must be added the expenses of the Confederacy, the value of property destroyed during the war, the expenses and debts of States, cities, and towns, and the payment of pensions, before any approximate estimate of the total cost of the war is attained. When we add to all this the enormous loss of productive energy and the loss of about 300,000 soldiers upon each side we have a dim idea of the price which had to be paid for the preservation of the Union of States. The war appropriations of the Federal Government for the fiscal year 1865 reached the appalling sum of \$500,000,000; but these estimates for the year 1866 were cut down to \$33,000,000, and the Treasury Department at once took up the problem of reducing the national debt, devoting to this purpose the surplus produced by the taxes on imported goods which it was thought best not to reduce for fear of inviting foreign competition in the line of manufactures. But the enormous financial problems which the war had produced were reckoned of small moment compared with the great question of how

¹ The Federal troops were paid off and discharged at the rate of about 300,000 a month, until almost all had returned to private life. About 50,000 were kept as a standing army.

the seceding States, now conquered and subdued, were to be readmitted to the Union from which they had departed or claimed to have departed. And in what light they should be regarded during the period which must of necessity intervene before their readmission. Were they still States of the Union, merely "out of their proper practical relation with the Union," as Lincoln had described them—or were they merely conquered territory subject, like any other territory, to the will of Congress?

Another complicated set of questions also presented itself. Lincoln had issued his Emancipation Proclamation giving freedom to slaves in portions of the United States then in insurrection, but this could not be stretched to give freedom to all slaves, even those in Union Territory and Union States. It furthermore could not be considered as legally abolishing slavery as an institution in any part of the country. As the institution of slavery was recognized by the Constitution it could only be legally abolished by changing the Constitution. That must be done, not by proclamation, but by the regular method provided in that document itself.

To accomplish this the Thirteenth Amendment had been proposed to Congress. At first it had been rejected, but in January, 1865, about three months before Lincoln's death, it had passed Congress by the requisite two-thirds vote. It was thus before the State Legislatures when Johnson became President, and it was still before them when he sent to Congress his First Annual Message (December 4, 1865). It therefore mattered a great deal in what light the seceding States were to be regarded. If the States had never been out of the Union it was necessary that some of the seceding States should vote to accept the Thirteenth Amendment before it could become operative. But if they were out of the Union and were dependent upon the consent of Congress for getting back, they might easily be forced to adopt the amendment as the price of readmission. President Johnson's position upon this point was made quite clear in his First Annual Message to Congress. "Whether the territory within the limits of those

States," he says, "should be held as conquered territory, under military authority emanating from the President as the head of the army, was the first question that presented itself for decision."

He then explains his own objections to such military government which "would have envenomed hatred rather than have restored affection. Once established," he continues, "no precise limits to their continuance was conceivable." They would have proved of incalculable expense and would have checked "peaceful emigration to and from that portion of the country . . . for . . . what industrial citizen . . . would place himself willingly under military rule. . . ?"

" . . . The chief persons who would have followed in the train of the army would have been dependants on the General Government or men who expected profit from the miseries of their erring fellow-citizens." This military rule over a conquered territory, he further explains, would have implied that the seceding States had ceased to exist. "But the true theory is that all pretended acts of secession were from the beginning null and void. . . ." "The States attempting to secede placed themselves in a condition where their vitality was impaired, but not extinguished; their functions suspended, but not destroyed."¹ In this message President Johnson seems to have assumed that the danger of military government being forced upon the South has been happily averted, and in the remainder of the message he proceeds to explain to Congress what he has done toward bringing the States again to the point where their suspended functions could be resumed. "The next step," he says, "which I have taken to restore the Constitutional relations of the States has been an invitation to them to participate in the high office of amending the Constitution. . . ." "The people of North Carolina, South Carolina, Georgia, Alabama, Mis-

¹ Lincoln's method of expressing this same idea was by saying that the States were "out of their proper practical relation with the Union." The sole object of the Government, he continues, should be "to again get them into that proper practical relation."—Address of April 11, 1865.

Mississippi, Louisiana, Arkansas, and Tennessee have reorganized their respective State governments, and are yielding obedience to the laws and government of the United States. . . .

"The proposed amendment to the Constitution, providing for the abolition of slavery forever within the limits of the country, has been ratified by each one of those States, with the exception of Mississippi, from which no official information has been received, and in nearly all of them measures have been adopted or are now pending to confer upon freedmen the privileges which are essential to their comfort, protection, and security." "In Florida and Texas," he adds, "the people are making commendable progress in restoring their State governments, and no doubt is entertained that they will at an early period be in a condition to resume all of their practical relations with the General Government." Thus, following pretty closely Lincoln's ideas upon Reconstruction, Johnson had succeeded in reorganizing all the States which Lincoln's death had found still disorganized,¹ Florida and Texas excepted, and he naturally felt that his plan, the plan inherited from his predecessor, was successful and should be continued until a complete reconstruction of the Federal Union should be accomplished.

Congress was not disposed, however, to agree with the President upon this point. But, whatever the disagreements concerning future plans, the Thirteenth Amendment at least was safe, the ratification of twenty-seven States being sufficient to make it a part of the Constitution.² It legally abolished

¹ As early as December, 1863, Lincoln had issued a proclamation offering the pardon of the Government to all persons (certain specified classes excepted) who should swear to support the Federal Constitution and the Laws and Proclamations for the emancipation of slaves. He had further promised that when one-tenth of the voters of any State should comply with these conditions and set up a State government, republican in form, the Federal Government would recognize it as the legal government of the State.

Upon these terms Arkansas, Louisiana, and Tennessee had been recognized in 1864; but Congress had declined to allow their electoral votes to be counted in the Presidential election of that year.

² Mr. Seward, in announcing the adoption of the Thirteenth Amendment, declared that there were thirty-six States in the Union, and that

the institution of slavery in every foot of territory within the United States, even in Kentucky and Delaware, which had not been affected by the Emancipation Proclamation, had adopted no plan of emancipation, and had not ratified the Thirteenth Amendment. The mere fact, however, of having given assent to the amendment abolishing slavery, and adopting State Constitutions republican in form did not satisfy Congress. The Republican majority in Congress felt very strongly that such guarantees were by no means sufficient. There must be some adequate means of affording protection to the new and ignorant class of freedmen which Lincoln's Proclamation, made legal by the Thirteenth Amendment, had turned loose upon society. They were convinced of this by the fact that the Southern people, believing that the negroes would not work now that the lash of the overseer was removed, had passed laws designed to force them to work under penalty of being declared vagrants and being sent to hard labor in the prisons.

To the Republican majority in Congress such laws seemed designed for the purpose of enabling the South to set up again the slave system under a new name, and they were determined to use their power in Congress to prevent this. Accordingly they began the session by refusing to admit any members from the seceding States and ordered the clerk to omit their names from the roll-call. The President, although a hearty Union man,¹ was a Southerner of the class known as "poor whites." Disliking the leading classes of the South, he, however, had no enthusiasm for the negro and was deter-

twenty-seven (just three-fourths) of these had voted, through their Legislatures, to adopt it. Among those twenty-seven, he counted Virginia, Louisiana, Arkansas, Tennessee, North Carolina, South Carolina, Georgia, and Alabama. In counting these as States, Mr. Seward followed the President's plan of Reconstruction, and encouraged those States to hope for a speedy readmission of their Senators and Representatives to Congress.

¹ He had expressed a great desire to hang some of the leaders in the Confederate army, and his first act as President had been to offer rewards for the capture of Jefferson Davis and other Southern leaders, upon the absurd charge of complicity in Lincoln's assassination.

mined in his desire to conduct the process of reconstruction according to his own ideas. He believed that the Republican majority had no more right to refuse admission to the representatives of the reorganized Southern States than those States had to leave the Union.¹ And he resolved to exert his utmost power to prevent them from exercising undue rigor or severity in dealing with the South. There was therefore from the very beginning of his first Congress an increasing ill-feeling between the President and the majority of his Legislature, an ill-feeling which was the cause of many evils which would certainly have been avoided had President Johnson been so fortunate as to have possessed half the tact and executive ability which so distinguished his predecessor. With a Republican majority against him strong enough if united to override his vetoes, and with a stubborn and unattractive personality admirably calculated to cause them to unite, the position of President Johnson was from the very first almost helpless.

Aside from protecting the freedmen from unjust and oppressive laws, the majority of Congress cherished from the first two leading ideas. The freedmen must be allowed the privilege of suffrage, and the Southerners who had taken part in the Rebellion—practically the whole respectable element in the most of the South—must not be allowed this privilege. From these two ideas vigorously followed up arose most of the evils which have caused Southerners to despise the very name of Reconstruction.

In carrying out these ideas it was necessary for Congress to do the very thing which President Johnson in his opening message had congratulated himself upon avoiding. They must put the South under a military government. The first step in this direction had been taken the day before Lincoln's

¹ Among the Southern Senators and Representatives who were demanding admission to seats in Congress, were many who, within the past twelve months, had been in arms against the United States. Even the late Vice-President of the Confederacy, Alexander H. Stevens, was among them.

second inauguration (March 3, 1865), when a plan for establishing a bureau of emancipation, which had been under consideration since December 22, 1863, was finally carried into execution by the passage of "an act to establish a Bureau for the relief of Freedmen and Refugees."

It provided "that there is hereby established in the War Department, to continue during the present War of Rebellion, and for one year thereafter, a bureau for refugees, freedmen, and abandoned lands, to which shall be committed, as hereinafter provided, the supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen from rebel States, or from any district of country within the territory embraced in the operations of the army. . . ." This bureau was officered by a chief commissioner and several assistant commissioners from each of the rebel States. These officers were to take possession of abandoned lands in these States, and certain other lands belonging to the United States, and divide them among loyal male refugees and freedmen, giving not more than 40 acres to each.¹ They were furthermore to protect such recipients of their bounty in the peaceful enjoyment of this land for a period of three years, and to issue, under direction of the Secretary of War, clothes, fuel, and provisions to such freedmen and refugees as were destitute. The law was designed to be beneficent and tide over the period when the freedmen, in the confusion of their new liberty, were likely to suffer from a lack of the protection and support which their masters had formerly given. It proved, however, a severe stumbling block in the way of the progress of the negroes. Thrown on their own resources, they would undoubtedly have suffered great hardship, but this law as administered had a far worse effect. It early instilled into the minds of the freedmen the idea that the Government was going to furnish what their masters had formerly furnished but without requiring any labor or service in return. They gathered about the depots

¹ A rental not exceeding six per cent a year upon the ascertained value of the land was to be collected from the tenant.

of the Freedmen's Bureau as the old Romans gathered about the public granaries after the passage of the corn laws, happy in the thought that their needs would evermore be supplied by the kind hand which had broken their shackles.

It was in the face of such effects as these that the reorganized States had felt called upon to pass the vagrant laws, the laws of apprenticeship and such acts which the Republican majority in Congress had interpreted as an attempt to restore slavery.

The operation of the Freedmen's Bureau pleased the Republican majority in Congress, and in February, 1866, they mustered energy to pass an act to continue it in force and greatly enlarge its scope. On February 10, 1866, it was sent to the President, who (February 19) returned it with a carefully prepared and exceedingly able explanation of his reasons for exercising his Constitutional right of veto. The friends of the measure made a vigorous effort to pass the bill over the President's veto, but his clear argument had convinced enough of the Senators to prevent this.

The President, however, made a most injudicious use of his victory. His strictures upon Congress were so severe as to alienate some of the very men who had just sustained him. On the evening of February 22d, a crowd assembled before the White House to congratulate him upon his victory. Carried away apparently by the impulse of the moment, he launched forth into a bitter tirade against the men who had opposed him, declaring that Stevens, Sumner, Phillips, and others of their class were laboring as strenuously to break down the fundamental principles of the Government as ever the leaders of the Rebellion had labored for that purpose.

Such indiscretion could have but one effect. It lessened confidence in his judgment and spurred the Republican majority into more determined and persistent hostility to him. This hostility they shortly expressed in a joint resolution declaring that no Senator or Representative from any of the rebel States would be allowed a seat in either House until Congress had voluntarily declared it entitled to representa-

tion. Having thus in effect pronounced against all the President's plans for reconstruction by definitely reserving to themselves the final judgment in the matter, they turned to the task of carrying out the programme of their own Committee on Reconstruction with an eagerness heightened by increased animosity toward the President.

As the next item on that programme they passed (March 13, 1866) "the First Civil Rights Act," declaring "that all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude" shall enjoy the same rights under the law, and be liable only to like punishments under it. It denounced severe penalties against interference with the civil rights of any class of citizens, and gave to officers of the Federal Government the right to prosecute and to the Federal Courts alone the right to try all cases involving such offences. The object of the bill was clearly to put the freedmen upon a basis of civil equality with the whites in the South.

It was a bill which was not inconsistent with the President's plan of reconstruction, and he might easily have made a good stroke of policy by acting in harmony with the hostile majority, but he chose to veto it, and in so doing he lost his last chance of regaining the position of influence over the less radical members of the Senate which his hasty and ill-guarded language had lost him, and at the same time he accomplished nothing of value. His veto only served to encourage the South in their natural desire to thwart the project of giving equal civil rights to freedmen, and their increased activity in this direction only drove the Republican majority more surely in the direction of using their dominant power to so amend the Constitution as definitely to perpetuate the idea of negro suffrage, which, under existing disqualifications, of course meant negro domination. His veto was wholly ineffective, for the Senate, on April 6th,

passed the bill over the head of the President and three days later the House followed their example.

This conflict over, the Republican majority at once turned its attention to so amending the Constitution as to give explicit sanction to the ideas contained in the Civil Rights Bill, for, although the President had not denied that the provisions of that bill might safely rest upon the Thirteenth Amendment, neither the Democrats in Congress nor the Southerners seeking seats in Congress had agreed with him in this. This was done by passing the Fourteenth Amendment to the Federal Constitution in which Congress proposed to the States to make explicit in the Constitution the principles already embodied in the Civil Rights Bill, whose constitutionality had been questioned. The two-thirds majority required by Congress for amendments which it wishes to propose to the States was easily obtained, which, according to the established custom of the nation, made it unnecessary for the amendment to be sent to the President at all.

Of course the President resented this, as he was now in a mood to resent almost every action of the hostile majority, and set himself to the task of persuading the States to reject it.

Seward sent the Amendment to the Legislatures of all the States, loyal and unreconstructed alike (on June 16, 1866), inviting their action upon it, thus recognizing, so far as the Executive branch of the Government could do so, their status as States.

Tennessee alone, of the States which had belonged to the Confederacy, promptly accepted this Amendment,¹ as she had already accepted the Thirteenth, and Congress at once passed (July 24, 1866) a "joint resolution restoring Ten-

¹ Before January 1, 1867, all of the "President's Reconstructed States," except three, had rejected it by overwhelming majorities, and these three soon followed their example. It was believed in Washington that they had contemptuously rejected the Amendment, and had done so under the advice of the President.

nessee to her relations to the Union." The President signed the resolution, pointing out as he did so the absurdity of submitting constitutional amendments to bodies which had not the status of States in the Union.¹

When the Thirty-ninth Congress reassembled in December, 1866, it was known that the Fourteenth Amendment had been rejected by most of the Southern States, and it was also evident, from the favorable results of the late November elections, which had added greatly to the power of the dominant majority, that the Northern States were disposed to favor the Congressional plan of reconstruction.

On December 3, 1866, President Johnson's Second Annual Message was presented, in which he lamented the fact "that Congress has thus far failed to admit to seats loyal Senators and Representatives from the other States, whose inhabitants, with those of Tennessee, had engaged in the Rebellion. Ten States," he continues, "more than one-fourth of the whole number, remain without representation; the seats of fifty members in the House of Representatives and of twenty members in the Senate are yet vacant, not by their own consent, not by a failure of election, but by the refusal of Congress to accept their credentials."²

Congress, however, paid little attention to his complaints or recommendations. They had practically required the

¹ Only about a week before this the President had again (July 16, 1866) vetoed a bill continuing the Freedmen's Bureau for two years; and had suffered the mortification of having it passed over his veto on the same day. This bill provided for sale of public lands to negroes on easy terms, appropriated property confiscated from the Confederate Government to their education, and placed their civil rights under strict military protection.

² In the message the President made two announcements of great significance to the business interests of the country. The first was "the entire success of the Atlantic telegraph between the coast of Ireland and the Province of Newfoundland." The second declares: "It will hardly be necessary to call the attention of Congress to the subject of providing for the payment to Russia of the sum stipulated in the treaty for the cession of Alaska. Possession having been formally delivered to our Commissioners, the territory remains for the present in care of a military force, awaiting such civil organization as shall be directed by Congress."

adoption of the Fourteenth Amendment as a condition for the admission of Tennessee, and they were firm in the conviction that "more might be righteously required of the others, but not less." As to the President, they thoroughly distrusted him¹ and were determined to limit his power as much as possible. The result was the passage in close succession of two acts of wide-reaching importance.

The first of these is known as "The First Reconstruction Act." Its real purpose was to disregard all that the President had done toward reconstructing the States and start the process *de novo*. It provided for grouping the States of the Confederacy except Tennessee, which was now a State of the Union, into five military districts, each under the command of an officer of the army, not below the rank of brigadier-general, appointed by the President. These military governors, with the aid of United States troops detailed for the purpose, were to control and direct the process of reconstruction. They were to protect all persons in their rights and attend to the punishment of all disturbers of the peace, and were given power to organize military tribunals for trying offenders, should they at any time deem this expedient; but sentences of death were reserved for the final decision of the President.

It also declared State authority entirely subject to the authority of these military commanders, that is, it set up a military government in time of peace, which, like many other features of the Act, was clearly unconstitutional, but the Fifth Section shows the way of escape from this undemocratic form of government.

The people of any one of the said rebel States must first call a convention elected "by the male citizens . . .

* Johnson had (on Jan. 5, 1867) vetoed a bill extending the suffrage in the District of Columbia to negroes, and the rage of the extremists at this new act of defiance was expressed not only by promptly passing the bill over his veto, but by actually appointing a Committee of the House to search for grounds upon which to base an impeachment. They failed, however, to discover adequate grounds, and for the moment the question of impeachment had been dropped.

twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election.¹ This convention must form a State Constitution in conformity with the Constitution of the United States in all respects and giving the elective franchise to all having the qualifications just stated as necessary for electors of delegates. This Constitution, after having been ratified by a majority of qualified voters casting votes on the question, shall be submitted to Congress for its approval or rejection. When Congress shall accept the Constitution, a legislature shall be chosen under its provisions. This legislature shall then adopt the proposed Fourteenth Amendment to the Constitution of the United States prepared by the Thirty-ninth Congress. Then, when this Fourteenth Amendment "shall have become a part of the Constitution of the United States,"² the said State shall be declared entitled to send Representatives and Senators to Congress, who shall be admitted upon "taking the oath prescribed by law." These various processes being completed, the State, thus reconstructed, was to be set free from the rule of the military commander of the district and become once more its own master in affairs purely local.

Then, as if qualifications sufficient had not already been imposed, there is added the additional proviso:

"That no person excluded from the privilege of holding office" by the proposed Fourteenth Amendment "shall be eligible to election as a member of the convention to frame a Constitution . . . nor shall any such person vote for members of such convention."

A second act went hand in hand with this. It was aimed at the President whose intemperate language concerning

¹ Except those who may be disfranchised for having taken part in the Rebellion or for felony at common law.

² The mere adoption of that amendment by the States seeking representation was not enough. It must first be ratified by three-fourths of all the States.

Congress had served greatly to aggravate the feelings of the majority against him. It was called "an act regulating the tenure of certain civil offices," and was designed to limit the traditional if not the constitutional power of the President over civil officials.

Up to this time the theory and practice of the nation had been that, although the Constitution gave the power to the President to make civil appointments "by and with the advice and consent of the Senate," he had an absolute power of removal as the Constitution assigns no share in this matter to the Senate.

The Republican majority, however, began to fear that President Johnson would make use of this power of removal to remodel the administrative department in such a way as to obstruct the Reconstruction plans of Congress and force his own views. There was really very little danger of any extreme action in that direction, for Mr. Seward, whose conservative disposition was really the guiding force in Johnson's department, was not the man to countenance any rashly partisan methods.

The Thirty-ninth Congress, however, was too hostile and suspicious toward Johnson to leave any measure unenacted which might serve to protect them from such a possible course.

These are the circumstances which induced Congress to pass this Tenure of Office Act which made the removal of all officers (except the Cabinet officers concerning whom special provisions were made) subject to the consent of the Senate, given either in specific terms or by the confirmation of a new man to succeed to the official removed.

The act allowed the President the safer power of suspending his subordinates for certain offences, during a recess of the Senate. He could also appoint another to discharge temporarily the duties of the suspended officer, but was required in such cases to submit, within the first twenty days of the next session of the Senate, his reasons for such action. If the Senate accepted his reasons the suspension

then became a removal from office, but if the reasons did not satisfy the Senate the suspended official must be reinstated.

Then, as if this were not a sufficient encroachment upon the time-honored powers of the Chief Executive, the bill further provided that the heads of Executive Departments "shall hold their offices respectively for and during the term of the President by whom they may have been appointed and for one month thereafter, subject to removal by and with the advice and consent of the Senate."

This meant that a member of the President's Cabinet might hold his position even against the will of the President who had appointed him during the entire term of the Administration and for one month of the term of his successor, unless the Senate happened to agree with the President's desire to remove him. It really, in effect, gave a Cabinet officer a fixed term of four years, provided he remained in sympathy with the majority of the Senate.

It was, to say the least, a drastic measure, and the penalties for violation of its provisions were correspondingly severe. Heavy fine or long imprisonment or both were prescribed for those who should violate this law or be found accessory to its violation.

When these two remarkable bills were presented to the President (February 10, 1867) he felt that Congress was making a more definite attempt than they had yet made to offer him a personal insult; but, steadied in this trying moment by his able Secretary of State, Mr. Seward, and probably materially aided by him, he prepared and sent to Congress (March 1, 1867) his vetoes of these two bills, "masterpieces of political logic, constitutional interpretation, and official style," as Mr. Burgess characterizes them. With reference to the Reconstruction Act he argued, from constitutional provisions, contemporary opinions, statutes of Congress, judicial decisions, and the well-established practice of the Government, that Congress had no power to set up martial law except where war or armed rebellion existed,

a condition which did not then exist in any part of the national domain.

With reference to the Tenure of Office Act he argued with equal truth that Congress had no power to compel a President to keep subordinates in office contrary to his own desires and his own judgment.

His contention in both cases was perfectly sound and has generally been declared so by leading authorities of our own day; but the Republican majority was in no humor to be moved by logical and clean-cut argument. They at once, on the same day (March 2, 1867), passed both bills over his veto.

These two primary acts being now secured, Congress proceeded to enact supplementary laws for putting its Reconstruction Act into operation. They prepared an elaborate act providing "that before the first day of September, 1867, the commanding general in each district . . . shall cause a registration to be made of the male citizens of the United States, twenty-one years of age and upward, resident in each county, or parish in the State or States included in his district." This registration was to include only those qualified to vote under the First Reconstruction Act, and who had previously taken an ironclad oath asserting citizenship and residence, freedom from disfranchisement on account of having taken part in rebellion or the commission of felony, and from the guilt of having taken part in the late Rebellion, either by hostile act or by having "given aid or comfort" thereto. This prescribed oath also declared "I will faithfully support the Constitution of the United States and obey the laws of the United States, and will, to the best of my ability, encourage others so to do."

The act then provided that after the completion of this registration the commanding general shall give notice, at least thirty days previously, of the time and places for an election to choose delegates to a convention for forming a State Constitution. The number of delegates to be chosen to such convention was fixed as the same number belonging U. S. VOL. 8.—2.

to the most numerous branch of the State Legislature of that State in 1860.¹ It directed the commanding generals to apportion these delegates to the convention among the districts, counties, or parishes of the States "in the ratio of voters registered" under the provisions above cited.

It provided that at the elections for delegates, the voters should vote upon the definite question whether a Constitutional Convention should be held. In case a majority of the registered voters cast ballots on this question, and in case a majority of the votes so cast favored the Convention, it was to be convened. Otherwise it was not to be convened.

In case of an affirmative vote the commanding general was ordered to notify the delegates elected to assemble at a given place at some fixed date within the next sixty days after the elections, and to frame Constitutions according to the provisions laid down in the Reconstruction Act of March 2, 1867.

These Constitutions when framed were to be submitted to the registered voters of the States. This submission was to be made "at an election to be conducted by the officers and persons appointed or to be appointed by the commanding general . . . and to be held after the expiration of 30 days from the date of notice thereof, to be given by the said Convention."

The returns were to be made to the commanding general of the district, and in case one-half of the registered voters cast votes upon the question of approving this Constitution, and a majority of these votes were in favor of the Constitution, the President of the Convention should send to the President of the United States a copy of the Constitution, duly certified. This the President should transmit to Congress.

In case Congress should express itself as satisfied that its

¹ Virginia was excepted from this provision on account of the separation of West Virginia from the old commonwealth. The act provided that the Virginia Convention should contain as many members as had belonged to her Lower House in 1860, representing territory not included in West Virginia.

provisions for reconstruction had been fairly and properly carried out in the process thus completed, and should approve the new Constitution, the State in question should "be declared entitled to representation and Senators and Representatives . . . admitted therefrom. . . ."

Finally this act provided that the commanding generals were to have control of the machinery of the elections, which were however required to be by ballot.

Here then we have the Congressional plan of Reconstruction. Military rule in the States awaiting readmission, military control of the ironclad system to which each State must conform in order to win reconciliation with the Federal Government.

In vain President Johnson, in presenting his veto (March 23, 1867), denounced this act as a most terrible means of oppression in the hands of the military officers and their appointed agents. In vain he pointed out the wickedness of disfranchising the great body of honest and respectable people of the unreconstructed States and placing the authority in the hands of the ignorant and degraded freedmen. All pretence of sympathy between the Executive and the majority of Congress had long since disappeared, and within a few hours after the veto message was received, the Second Reconstruction Act became a law, the opinions of the President to the contrary notwithstanding.

The cumulative effects of these Congressional measures were deep and far-reaching, realizing even the extreme results which President Johnson anticipated from them. They gave a unique opening for the operations of conscienceless adventurers and such were of course not slow in taking advantage of their opportunities. The South was soon invaded by Northerners who had failed in their own sections or who saw in these regulations a chance to gain fortune and position simply by migrating into the Southern States and gaining influence over the ignorant and superstitious negroes in whose hands Congress had so rashly placed the balance of power. Many of these men brought no baggage beyond the

"carpet bags" which contained the raiment needful for their purpose. It was quite evident to them that if their plan succeeded they would soon be masters of what had once been the richest portions of the American continent.

Of course there were a few exceptions, men who came filled with the high ideal of training the freedmen in American political ideals and giving them the direction and leadership necessary for securing the beneficent results which they fondly hoped and believed would come eventually from this new step toward the true Republican doctrine of universal equality.¹

Such men, however, as a rule, returned shortly to their own section, bearing the fragments of their rudely shattered idol. It did not take long to convince honest men in actual possession of the facts, that a race of bondmen can not be suddenly transformed into a community of reasonable and responsible citizens by the easy method of legislative enactments. But the edict which had gone out from Congress under circumstances of so much bitter party and personal feeling was not to be recalled until the last of the seceding States had passed through the slough of political iniquity which had been laid for it, and had received pardon from the nation which it had offended.

So much in brief for the results of the Reconstruction policy of Congress.

There was, however, still the question of the quarrel with the President, which had taken on much the character of a personal feud. The Tenure of Office Act had placed President Johnson in an extremely embarrassing and difficult position, as it doubtless was designed to do. Johnson had retained Lincoln's Cabinet in office, but, as affairs had grown more and more annoying, he had begun to feel that certain among them, notably Stanton, the Secretary of War, were conspiring against him and taking sides with the hostile majority of Congress. Stanton especially had become un-

¹ The era of negro domination and "carpet-bag" rule in the South covers the years 1868-76.

bearable. He was arrogant, disrespectful, and finally openly hostile, exerting his utmost effort to deprive the President of the leadership even of his own Cabinet.

By the time that the Tenure of Office Act came into force Johnson had determined to remove Stanton. He therefore found himself confronted with the necessity either of violating the statute, which he deemed unconstitutional, or retaining Stanton in office. His courage was equal to the needs of the occasion. During the summer recess (August, 1867) he demanded the resignation of the Secretary of War. Stanton promptly declined to comply, and the President, acting under the power given in the Tenure of Office Act, suspended him from office and appointed General Grant to perform its duties during the suspension.

When Congress reconvened in December, 1867, they considered the case and decided that the grounds were not sufficient for the removal of Stanton. Upon hearing of this vote, Grant at once surrendered the office and Stanton again took possession.

This affair caused sharp words to pass between Grant and Johnson and it soon became evident that Grant was disposed to side with Stanton. Hitherto his political affiliations had not been known, but this quarrel with Johnson was taken to mean that he was disposed to side with the Republican majority of Congress, and he thus came to be considered as an available candidate for the Republicans.

Johnson now decided to try the utmost strength of the Tenure of Office Act. He issued an order for Stanton's removal, and ordered his successor, Lorenzo Thomas, to take possession of the office. The Secretary appealed to the friendly majority in the House for protection in the right of retaining his office. The friends of the Secretary accused the President of having disobeyed the laws and of being unfit further to exercise the office of Chief Executive. They had recourse to Impeachment. On February 24, 1868, the House voted to impeach the President for "high crimes and misdemeanors." It was obviously a political proceeding

brought on by the long friction between the President and Congress, for after all the rash speeches of the President and the vetoes which he had so freely made use of were not offences eligible for impeachment. His only really serious offence was his disregard of the Tenure of Office Act in the matter of the removal of Stanton, and under normal conditions none would have dreamed of basing an impeachment upon such a cause as that.

The trial began on March 5, 1868, and dragged on wearily for over two months, while Johnson busied himself with making public addresses more fiercely denunciatory than ever against the majority of Congress. The prosecutors, in lack of any sound basis of argument, devoted their talents to silly and intemperate speeches, and were met by the powerful arguments of the President's counsel, Benjamin Robbins Curtis. Gradually as the trial continued, the conviction began growing that the prosecution was vindictive and unjustifiable, and that to remove a President upon such grounds as the prosecutors presented would be a lasting disgrace to the nation. The relief of the sober and serious part of the country was, therefore, considerable when, on May 16, the impeachment broke down. A two-thirds vote of the Senate was necessary for conviction and the prosecutors came dangerously near securing it. All the Democrats and seven of the Republicans voted for acquittal and the impeachment failed by only a single vote. The seven Republicans who had deserted their leaders at the critical moment were roundly abused for weeks following the acquittal, but the cause of justice had been sustained and Stanton prudently accepted the verdict and resigned his office without further resistance.

This not very flattering acquittal proved to be the final exit of President Johnson from positions of public trust. Only four days later the Republican Convention met at Chicago and, with an enthusiasm based upon the recollection of his great military career, unanimously declared General Grant as their candidate for the Presidency. Shortly after-

ward the Democrats put forth as their candidate Horatio Seymour, of New York.

Grant's qualifications as a candidate were of the most reassuring kind, as a military hero is always a good rallying point for a political campaign. His qualifications for actually holding executive office were as yet purely speculative, but few doubted from the first what the outcome of the campaign would be. The real evils of the Republican party's Southern policy were as yet not apparent in the North, and the Southern vote was pretty secure under the operation of a policy which had disfranchised practically the whole Democratic element.

General Grant received, in the November elections (1868), 214 electoral votes, while only 80 were cast for Mr. Seymour. The verdict was an enthusiastic support, however blindly conceived, of the policy of Congress, and without waiting for the inauguration of General Grant they proceeded to present their final demand to the Southern States still outside the Union.

On February 25, 1869, they laid before the States the Fifteenth Amendment, designed to incorporate the principle of negro suffrage in the Constitution itself.

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

The resentment of the Southern States, reconstructed and unreconstructed alike, to this amendment was most bitter. Several of them promptly rejected it, but as thirty States expressed themselves willing to approve it, the consent of the others was unnecessary. The Southern States, Virginia, Georgia, Mississippi, and Texas, however, were still at the mercy of Congress, and their ultimate consent to the Fifteenth Amendment was ensured by a Congressional enactment adding this to the already enormous body of conditions precedent to readmission into the Union.

ROBERT MCNUTT McELROY, PH.D.

HISTORY OF THE UNITED STATES

CHAPTER I.

THE UNITED STATES AT THE CLOSE OF RECONSTRUCTION.

Land and People in 1870—Territories—Railroads in the West—
Fenian Movements—Boston's Peace Jubilees—The Great Cities
—The Chicago Fire—The Boston Fire—The Tweed Ring—
Tweed's Escape and Capture—Financial Condition of the Na-
tion—Ships—Army and Navy—Reconstruction, the Problem—
The Presidential and the Congressional Plan—Iron Law of
March 2, 1867—The Process of Reconstruction—Situation in
1870—Debate on the Coercion of States—Outcome—The Test
Oath—All States at Last again Represented in Both Houses of
Congress.

IN 1870 the United States covered the same tract of the globe's surface as till the Spanish War, four million square miles. Hardly more than a fifth of this represented the United States of 1789. About a third of the vast domain was settled, the Western frontier running irregularly parallel with the Mississippi, but nearer to that stream than to the Rocky Mountains. The centre of population was forty-eight miles east by north of Cincinnati, having moved westward forty-two miles since 1860. Except certain well-peopled sections on the Pacific Slope, and small civilized strips in Utah, Colorado, and New Mexico, the Great West had but a tenuous white population. Over immense regions it was still an Indian fastness, rejoicing in a reputation, which few could verify, for rare scenery, fertile valleys, rich mines, and a delightful climate.

The American people numbered 38,558,371 souls. Not quite one in seven had colored blood, while a little more than that proportion were of foreign birth, most of these Irish and German. In the settled parts of our country the population had a density of 30.3 persons to the square mile, south-

ern New England being the most closely peopled. Much of western Pennsylvania was in the condition of the newest States, railroads building as never before, population increasing at a remarkable rate, and industries developing on every hand. Petroleum, which before the Civil War had been skimmed off the streams of the oil region and sold for medicine, in 1870 developed a yield of over five and a half million gallons in Pennsylvania alone, more than eleven times as much as a decade previous. The West was rapidly recruiting itself from the East, the city from the country. Between 1790 and 1860 our urban population had increased from one in thirty to one in six; in 1870 more than one in five dwelt in cities.

There were now thirty-seven States, nine organized Territories, and two unorganized ones, these being Alaska and the Indian Territory. Noteworthy among the Territories was Washington, whose population had doubled in the preceding decade and was now 24,000. Colorado had about 40,000. Utah boasted 86,000, one-third of whom were foreigners. New Mexico numbered in 1870, 91,874, in 1871, 114,000, less than one to each square mile. Arizona was still much harried by Indians, and contained hardly 10,000 civilized men. This year female suffrage, hitherto unknown in America, if not in the world, gained a foothold in Wyoming and in Utah.

During the ten years preceding 1870 the railroad mileage of the country nearly doubled. The Union and Central Pacific Roads, forming the only transcontinental line then in existence, had been completed on May 10, 1869. Into Denver already came, besides the Union Pacific, three other railroads, all short, while Washington Territory contained the germ of the Northern Pacific, whose eastern extremity had just been begun at Duluth. Dakota had sixty-five miles of railway, Wyoming four hundred and fifty-nine. With the above exceptions the Territories were wholly without railroads.

The close of the long Civil War had gladdened all true American hearts. Only the Fenians sought further bloodshed,

and even they pursued their aim rather feebly. Their attempt, in April, 1866, to capture the British island of Campobello, near Eastport, Me., collapsed on the approach of General Meade with United States troops. On June 1 a detachment of Fenians succeeded in capturing Fort Erie, across from Buffalo, and on the 7th another company occupied St. Armand, just over the Vermont border; but both parties were speedily dislodged and routed. The heart of the nation delighted in peace. In 1869, carrying out a conception of Mr. P. S. Gilmore, Boston held a great Peace Jubilee to celebrate the end of the late fraternal strife. An immense coliseum was erected for the performances, which began on June 15 and lasted till June 20. A choir of 10,000 singers, an orchestra of over 1,000 pieces, a battery of artillery, and an anvil chorus of 100 men beating anvils made up the unique musical *ensemble*. So great was the success, financially and otherwise, of this scheme, that in 1872 Mr. Gilmore undertook an international Peace Jubilee. This, too, was held in Boston, opening June 17 and lasting till July 4. Twenty thousand voices and an orchestra 2,000 strong joined in it, parts being taken also by choice military bands from France, Germany, and England, and from the United States Marine Corps. Vast crowds were attracted, but the receipts this time fell far short of the expenditures.

In 1870, New York, with 942,292 inhabitants, Philadelphia, with 674,022, Brooklyn, with 396,099, St. Louis, with 310,864, and Chicago, with 298,977, were, as in 1890, our five largest cities, and they had the same relative size as in 1890, save that Chicago meantime passed from the fifth to the second place. This in the face of adversity. In October, 1871, the city was devastated by one of the most terrible conflagrations of modern times. It began on Sunday evening, the 8th, in a wooden barn on DeKoven Street, in the West Division. Lumber yards were numerous there, and through these the flames raged, leaping across the stream before a strong westerly wind into the Southern Division, which was closely built up with stores and warehouses. The fire con-

tinued all Monday. It crossed the main channel of the Chicago River into the Northern Division, sweeping all before it.

"Niagara sank into insignificance compared with that towering wall of whirling, seething, roaring flame. It swept on and on, devouring the massive stone blocks as though they had been the cardboard playthings of a child. Looking under the flame one could see, in the very centre of the furnace, stately buildings on either side of Randolph Street whose beauty and magnificence and whose wealth of contents were admired by thousands the day before. A moment and the flickering flame crept out of a window; another and another hissing tongue followed; a sheet of fire joined the whirling mass above, and the giant structure was gone. One pile after another thus dissolved like snow on the mountain. Loud detonations to the right and left, where buildings were being blown up, the falling of walls and the roaring of flames, the moaning of the wind and of the crowd, and the shrill whistling of tugs endeavoring to remove the shipping out of the reach of danger, made up a frightful discord of sounds that will live in every hearer's memory while his life shall last."

The glare could be seen for hundreds of miles over the prairie and the lake. The river seemed to boil and mingle its steam with the smoke. Early Monday morning the "Tribune" building, the only structure left in the business quarter, remained intact. Two patrols were constantly at work; one sweeping away live coals and brands, the other watching the roofs. Till four o'clock the reporters passed in regular reports of the fire. At five the forms were sent down. In ten minutes the cylinder presses would have been at work. At that moment the front basement is discovered on fire. The water-plug at the corner is opened, but the water-works have been destroyed. The pressmen have to fly for their lives. By ten o'clock the block is in ashes.

Streets, bridges, parks are gorged with panic-stricken throngs. Not a few are crazed by terror. One old woman stumbles along under a great bundle, crooning Mother Goose melodies. Anarchy reigns. The horrors of the night are

multiplied by drunkenness, arson, burglary, murder, rape. Vigilance committees are formed. It was estimated that fifty ruffians first and last were shot in their tracks, among them five notorious criminals. Convicts locked in the court-house basement would have been burnt alive but for the Mayor's timely order, which his son, with the utmost difficulty and danger, delivered after the building had begun to burn.

The morning after the fire the indomitable Chicago pluck began to show itself. William D. Kerfoot knocked together a shanty, facetiously called "Kerfoot's block," an unrivaled structure, for it was the only one in the neighborhood. To it he nailed a sign which well typified the spirit of the city. "Wm. D. Kerfoot, all gone but wife, children, and ENERGY." The next Sunday the Rev. Dr. Collyer preached where his church had formerly stood, in the midst of the city, yet in the heart of a wilderness, more than a mile from human habitation.

Not till Tuesday morning was the headway of the fire checked, and parts of the charred *débris* smouldered on for months. Nearly three and a third square miles were burned over; 17,450 buildings were destroyed; 98,500 persons rendered homeless; and over 250 killed. The total direct loss of property amounted to \$190,000,000, which indirect losses, as estimated, swelled to \$290,000,000. Fifty-six insurance companies were rendered insolvent by the fire. A Relief and Aid Society was at once formed, which within a month had subscriptions from all over the country amounting to three and a half million dollars, was aiding 60,000 people, and had assisted in building 4,000 temporary shelters. Later the Illinois Legislature voted aid.

Next after that of Chicago the most destructive conflagration ever known in the United States visited Boston in 1872. It originated during Saturday evening, November 9, on the corner of Kingston and Summer Streets, spread with terrible rapidity east and north, and raged with little abatement till nearly noon next day. During Sunday afternoon the flames seemed well under control, but an explosion of gas about mid-

night set them raging afresh, and much of Monday had passed before they were subdued. Ordinary appliances for fighting fire were of no avail, the demon being at many points brought to bay only by the free use of dynamite to blow up buildings in his path. Sixty-five acres were laid waste. Washington Street from Bedford to Milk formed the western limit of the tract, which, at Milk, receded to Devonshire, lying east of this from Milk to State, which formed its northern term. Nothing but the waters of the harbor stayed the eastern march of the fire. The district burned had been the home of Boston's wholesale trade, containing the finest business blocks which the city could boast. Fourteen or fifteen lives were lost, and not far from eight hundred buildings consumed. The property loss was placed at \$80,000,000.

Meantime New York City was suffering from an evil worse than fire, the frauds of the "Tweed Ring," notorious for evermore. In the summer of 1870 proof was published of vast frauds by leading city officials, prominent among them "Boss" William M. Tweed, who, in the language of Judge Noah Davis, "saw fit to pervert the powers with which he was clothed, in a manner more infamous, more outrageous, than any instance of a like character which the history of the civilized world afforded."

William Marcy Tweed was born in 1823, at 24 Cherry Street, New York City. A youth devoted to business made him a fair penman and an adept reckoner, but not a business man. He, indeed, once attempted business, but, as he gave his chief attention to speculation, gambling, and ward politics, completely failed, so that he seems forever to have renounced legitimate money-making. As a volunteer fireman, known as "Bix Six," a gross, licentious Falstaff of real life, albeit loyal and helpful to his friends, Tweed led the "Roughs," being opposed by his more decent fellows, the "Quills." The tide of "respectability," receding uptown, left Tweed's ward in the hands of poor immigrants or the sons of such, who became partly his willing accomplices, partly his unwitting tools, in his onslaughts upon taxpayers. He began these forays at

twenty-seven, as Alderman, suspended them for a time in Congress, resumed them in 1857 as Public School Commissioner, continued and enlarged them as member and four times President of the Board of Supervisors, and brought them to a climax as a functionary of the Street Department. He thus became, in time, the central sun in the system of brilliant luminaries known as the "Tweed Ring."

The multitudinous officials of the city were the Ring's slaves. At one time eight hundred policemen stood guard to prevent a hostile majority, in Tammany Hall itself, from meeting. The thugs of the city, nicknamed "Tweed's lambs," rendered invaluable services at caucus and convention. Two days before election these venal cohorts would assemble in the 340 election districts, each man of them being listed and registered under several assumed names and addresses. From Tweed's house in 1868 six registered, from Justice Shandley's nine, from the Coroner's thirteen. A State Senator's house was put down as the home of thirty voters. One Alderman's residence nominally housed twenty, another's twenty-five, an Assemblyman's fifteen. And so it went. Bales of fictitious naturalization papers were secured. One year 105,000 blank applications and 69,000 certificates were ordered printed. In one case thirteen men, in another fifteen, were naturalized in five minutes. The new citizens "put in" election day following their leaders from polling place to polling place as needed.

When the thieves could be kept in power by such means plunder was easy and brazen. Contractors on public works were systematically forced to pay handsome bonuses to the Ring. One of them testified: "When I commenced building I asked Tweed how to make out the bills, and he said, 'Have fifteen per cent over.' I asked what that was for, and he said, 'Give that to me and I will take care of your bills.' I handed him the percentage after that." Innumerable methods of fraud were successfully tried. During the year 1863 the expenditures of the Street Department were \$650,000. Within four years Tweed quadrupled them. A species of asphalt

paving, dubbed "Fisk's poultice," so bad that a grand jury actually declared it a public nuisance, was laid in great quantities at vast cost to the city. Official advertising was doled to twenty-six daily and fifty-four weekly sheets, of which twenty-seven vanished on its withdrawal. But all the other robber enterprises paled before the city Court House job. This structure, commenced in 1868, under stipulation that it should not cost more than \$250,000, was in 1871 still unfinished after an outlay of \$8,000,000, four times as much as was spent on Parliament House in London. Its ostensible cost, at last, was not less than \$12,000,000. As by witchcraft the city's debt was in two years more than doubled. The Ring's operations cheated the city's taxpayers, first and last, out of no less than \$160,000,000, "or four times the fine levied on Paris by the German army." Though wallowing in lucre, and prodigal withal, Tweed was yet insatiably greedy. "His hands were everywhere, and everywhere they were they were feeling for money." In 1871 he boasted of being worth \$20,000,000, and vowed soon to be as rich as Vanderbilt.

With his coarse nature the Boss reveled in jibes made at the expense of his honor. He used gleefully to show his friends the safe where he kept money for bribing legislators, finding those of the "Tammany Republican" stripe easiest game. Of the contractor who was decorating his country place at Greenwich he inquired, pointing to a statue, "Who the hell is that?" "That is Mercury, the god of merchants and thieves," was the reply. "That's bully!" said Tweed. "Put him over the front door." His donation of \$100 for an altar cloth in the Greenwich Methodist Church the trustees sent back, declaring that they wanted none of his stolen money. Other charitable gifts of his were better received.

The city papers, even those least corruptible, were for long either neutral or else favorable to the Ring, but its doings were by no means unknown. They were matters of general surmise and criticism, criticism that seemed hopeless, so hard was it to obtain exact evidence.

But pride goeth before a fall. Amid its greatest triumph

the Ring sowed the wind whence rose the whirlwind which wrought its ruin. At a secret meeting held in the house of John Morrissey, pugilist member of Congress, certain of the unsatisfied, soon known as the "Young Democracy," planned a revolt. Endeavoring to prevent the grant by the New York Legislature of a new charter which the Ring sought, the insurgents met apparent defeat, which, however, ultimately proved victory, Tweed building for himself far worse than he knew. The new charter, abstractedly good, in concentrating power concentrated responsibility also, showing the outraged people, when awakened, where to strike for liberty. In spite of whitewashing by prominent citizens, of blandishments and bulldozing, of attempts to buy the stock of the "Times" and to boycott "Harper's Weekly," where Nast's cartoons—his first work of the kind—gave the Ring international notoriety, the reform spirit proved irresistible. The bar had been servile or quiet, but the New York Bar Association was now formed, which at once became what it has ever since been, a most influential censor of the bench. The Young Democracy grew powerful. Public-spirited citizens organized a Council of Political Reform.

The occasion of conclusive exposure was trivial enough. Sheriff O'Brien was refused part of what he thought his share of the sheriff fees. An expert accountant in the Comptroller's office supplied him with damning evidence against the Ring. On July 18, 1871, Mr. O'Brien walked into the "Times" office and, handing the editor a bundle of documents, said: "There are all the figures: you can do with them just what you please." The figures were published on the 20th in an exhibit printed in English and German, causing excitement compared with which that arising from the Orange Riot of July 12th seemed trifling. The sensation did not end with talk. On September 4th a mass-meeting of citizens was held at Cooper Institute and a committee of seventy prominent men chosen to probe the frauds and to punish the perpetrators. For the work of prosecution the Attorney-General appointed Charles O'Connor, who asso-

ciated with himself the ablest counsel. Samuel J. Tilden was conspicuously active in the prosecution, thus laying the foundation for that popularity which made him the Governor of New York, 1875-77, and in 1876 the Democratic candidate for the Presidency of the United States.

On October 28, 1871, Tweed was arrested and gave a million dollars bail. In November, the same year, he was elected to the State Senate, but did not take his seat. On December 16th he was again arrested, and released on \$5,000 bail. The jury disagreed on the first suit, but on the second he was convicted and sentenced to pay a fine of \$12,550 and to suffer twelve years imprisonment. This sentence was set aside by the Court of Appeals and Tweed's discharge ordered. In the meantime other suits had been brought, among them one to recover \$6,000,000. Failing to find bail for \$3,000,000, he was sent to the Ludlow Street Jail. Being allowed to ride in the Park and occasionally to visit his residence, one day in December he escaped from his keepers. After hiding for several months he succeeded in reaching Cuba. A fisherman found him, sunburnt and weary but not homesick, and led him to Santiago. Instead of taking him to a hotel, Tweed's guide handed him over to the police as probably some American filibuster come to free Cuba. The American consul procured his release (his passports had been given him under an assumed name), but later found him out. The discovery was too late, for he had again escaped and embarked for Spain, thinking there to be at rest, as we then had no extradition treaty with that country. Landing at Vigo, he found the governor of the place with police waiting for him, and was soon homeward bound on an American war-vessel. Caleb Cushing, our Minister at Madrid, had learned of his departure for that realm, and had put the authorities on their guard. To help them identify their man he furnished them a caricature by Nast, representing Tweed as a Tammany policeman gripping two boys by the hair. Thus it came about that "*Twid antelme*" was apprehended by our peninsular friends as a *child-stealer*. Though every-

thing possible was done to render him comfortable in jail, Tweed sighed for liberty. He promised, if released, to turn State's evidence and to give up all his property and effects. Some papers suggested that the public pitied the man and would be glad to have him set free. No compromise with him was made, however, and he continued in jail till his death in 1878.

In 1870 the national debt amounted to a little less than \$2,500,000,000, nearly three times the sum of all the country's State, county, and municipal indebtedness combined. Yet the revenues sufficed to meet the interest and gradually to pay off the principal. Reduction in the rate of taxation was recommended in the President's Message, as also a refunding of the debt, but this latter was postponed for the time by the outbreak of the Franco-Prussian War. Our imports for the year ending June, 1870, were worth \$462,377,587, which exceeded the figure for any previous fiscal year. The duties on these imports footed up nearly \$195,000,000. The imports for the year fell short of the exports by over \$36,000,000.

Painful to notice was the small proportion of our commerce which was carried on in American vessels. Between 1850 and 1855 we had outstripped England both in ship-building and in tonnage. Seventy-five per cent of our ocean traffic was then borne in American vessels; in 1869 the proportion had fallen to thirty per cent. The decay of our merchant marine was originally due to the fatal enterprise of Confederate privateers during the war, and to the change now going on from wood to iron as the material for ships. This transferred to British builders the special advantage which Americans had so long as wood was used. Why the advantage continued with the British was a much-disputed question, not yet separating the two political parties. Protectionists found it in British labor and British subsidies to steamship lines, and wished to offset it by bounties and by still higher subsidies to American shipping enterprise. Anti-protectionists traced all the difficulty to protection, particu-

larly denouncing the duties on materials imported for ship-building. They urged free United States registry for foreign-built ships, or at least the privilege of importing free of duty all stock to be used in the construction of ships.

The United States Navy was neglected after the war and soon became antiquated, being occupied mainly with the most peaceful enterprises, such as hydrographic and coast surveys. Indeed, it was fitted only for such. The destruction of the pirate *Forward* on the coast of Mexico and the bombardment of certain Corean forts were its only warlike deeds during 1870. The army, this year, numbered 34,000 enlisted men, soon to be reduced to the legal number of 30,000. It was busied in making surveys, in protecting settlers against Indians, and one-sixth of it in assisting Government officials to keep order in the South. Some of the army officers and men were also busy in taking and publishing over the country scientific observations of the weather, an extremely useful form of public service then in its infancy. The United States Weather Bureau dates from 1870, its origin and organization mainly due to the then Chief Signal Officer of the Army, General Albert J. Myer.

When the resuscitation of the South began, it raised a most interesting constitutional question, viz., what effect secession had upon the States guilty of it; whether or not it was an act of State suicide. That it amounted to suicide, leaving, of the State that was, "nothing but men and dirt," was held by many, among them Sumner and Stevens. Both these men conceived the problem of the disordered States as that of an out-and-out "reconstruction"; and they ascribed to Congress the right to work its will in the conquered region, changing old State lines and institutions as it might please, and postponing settlement for any convenient length of time. Against this theory a strong party maintained that of State indestructibility, asserting the total nullity of secession acts.

The universal supposition at first was that the Southern States needed only "restoration," to be conducted by the

President. "Restoration" was the policy of Presidents Lincoln and Johnson; as also of the entire Democracy. Following the idea of simple restoration, Lincoln had recognized loyal State governments in Virginia at the beginning of the war, and in Louisiana, Arkansas, and Tennessee later. During 1865 Johnson did the same in all the other States lately in secession.

Strong considerations had led Congress, at this point, to assume charge of the restitution of the States, and, braving President Johnson's uttermost opposition and spite, to rip up the entire Presidential work. "The same authority which recognized the existence of the war" seemed "the only authority having the constitutional right to determine when, for all purposes, the war had ceased. The Act of March 2, 1867, was a legislative declaration that the war which sprang from the Rebellion was not, to all intents and purposes, ended; and that it should be held to continue until State governments, republican in form, and subordinate to the Constitution and laws, should be established."¹

On March 2, 1866, it was enacted that neither House should admit a member from any seceder-State till a Congressional vote had declared the State entitled to representation. The ratification of the Fourteenth Amendment, making negroes citizens of the United States and forbidding legislation to abridge their privileges, was made prerequisite to such vote. Tennessee accepted the terms in July, but, as action was optional, all the other States declined, thus defeating for the time this amendment. Congress now determined not to wait for the lagging States, but to enforce their reconstruction. The iron law of March 2, 1867, replaced "secessia" under military rule, permitted the loyal citizens of any State, blacks included, to raise a convention and frame a Constitution enfranchising negroes, and decreed that when such Constitution had been ratified by the electors to the convention and approved by Congress, and when the

¹ Opinion of Attorney-General E. R. Hoar, May 31, 1869.

Legislature under it had ratified the Fourteenth Amendment and this had become part of the Constitution, then the State might be represented in Congress. The supplementary law of March 19th hastened the process by giving district commanders the oversight of registration and the initiative in calling conventions.

After this the work went rapidly on. Registration boards were appointed, the test-oath¹ applied, delegates elected, and Constitutions framed and adopted. These instruments in all cases abolished slavery, repudiated the Confederate debt and the pretended right of a State to secede, declared the secession acts of 1861 null and void, ordained manhood suffrage, and prohibited the passage of laws to abridge this.

Congress then acted. Alabama, Arkansas, North and South Carolina, Florida, Georgia, and Louisiana were admitted to representation in June, 1868, agreeing never to revoke universal suffrage. As Georgia was suspected of evading some of the requirements, the Senators from the State were refused seats at Washington, and did not obtain them till the last of January, 1871. Georgia's representatives

¹TEST OATH.—Act of July 2, 1862. Be it enacted, etc. That hereafter every person elected or appointed to any office of honor or profit under the Government of the United States, either in the civil, military, or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary, or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States, that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation, or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."

were given seats, but subsequently, in 1869, these were vacated, and they remained empty till 1871. To regain representation in Congress this State, too, was obliged to ratify the Fifteenth Amendment.

Thus stood matters in 1870: all but four of the late Confederate States nominally back in the Union, these still contumacious, but confronted by an inflexible Congress, which barred them from every national function of Statehood till they had conformed to all the conditions above described.

Virginia, Mississippi, and Texas held out the longest. The Act of April 10, 1869, was passed to hasten their action, authorizing the President to call elections for ratifying or rejecting the new Constitutions in those States. To punish the States' delay, their new Legislatures were required to ratify the proposed Fifteenth Amendment, guaranteeing the negro's right to vote, as well as the Fourteenth. When it passed the House the bill lacked such a provision, which was moved by Senator Morton, of Indiana, an ultra Republican. Morton urged the adoption of the amendments as of vast importance to the country. If the three recalcitrant States were commanded to ratify and did so, the negroes' ballot would be once for all assured, placing the South forever in loyal hands. The unreconstructed States, he said, ought not to oppose this requirement, and their opposition was sad evidence of their treacherous purpose later to amend their Constitutions so as to strike down colored suffrage. Senator Thurman replied that the question concerned every State in the Union. By forcing these three States to ratify this amendment, he declared, "you do not coerce them alone. You coerce Ohio, you coerce Illinois, you coerce every State whose people are unwilling to adopt the amendment." Senator Bayard thought it a most dangerous Federal encroachment to take from the States and deposit with the Federal Government the regulation of the elective franchise, "the power of all powers, that which underlies and creates all other powers." The opposition was, however, overborne and by February, 1870, the new Constitutions, together with U. S. VOL. 8.—3.

the Fourteenth and Fifteenth Amendments to the United States Constitution, had been ratified, and the three belated States again stood knocking at the doors of Congress.

The House of Representatives began by declaring Virginia entitled to representation in the National Legislature. The Senate, more radical, influenced by the still lurking suspicion of bad faith, amended this simple declaration with a provision requiring the "test-oath" of loyalty from members of the Legislature and public officers before they should resume their duties, at the same time making it a condition that the Constitution of the State should never be so amended as to restrict the suffrage, the right to hold office, or the privilege of attending public schools. Similar provisos were attached to the resolution admitting Senators and Representatives from the other two States. Out of sheer weariness the House concurred. By January 30, 1871, all the States were again represented in both Houses, as in 1860.

CHAPTER II.

GENERAL GRANT AS A CIVIL CHIEF.

The Republican Party in 1870 — Its Defects — President Grant's Shortcomings — His First Cabinet — The Party's Attitude Toward the Tariff — Toward the Democracy — Toward Re-enfranchisement at the South — The Liberal Movement — The Democrats — The "New Departure" Among Them — Vallandigham — John Quincy Adams — Reconstruction — Errors Committed Therein — The Fifteenth Amendment — The Ku-Klux Klan — The Force Bill — Re-enfranchisement at the South — Grant and the Nation's Finances — Gould and Fisk — Black Friday — The Treaty of Washington — Relations with Cuba — Proposed "Annexion" of Santo Domingo — Sumner and the Administration.

THE year 1870 found the Republican party in full power. In the Senate of the Forty-first Congress sat but nine Democrats, and out of its two hundred and thirty Representatives only seventy-five were Democrats. Spite of differences in their own ranks, spite of the frantic struggles of the opposition, the Republican policy of reconstruction had been put through and consummated by the Fifteenth Amendment, "making all men equal." Sweepingly victorious upon every issue recently tried, freed, moreover, from the incubus with which President Johnson had weighted them, having elected to the Executive chair of the nation a hero whom practically the entire party and country trusted, the Republicans could not but be in a happy mood. No wonder that the Republican platforms of the different States in 1870 and 1871 breathed utmost satisfaction and hope.

This self-gratulatory spirit among the Republicans was an unhealthy sign. Honest as were its rank and file and a majority of its leaders, much corruption defiled the party's high places. "The early movements of Grant as President were very discouraging. His attempt to form a Cabinet without consultation with any one, and with very little knowl-

edge, except social intercourse, of the persons appointed, created a doubt that he would be as successful as a President as he had been as a general, a doubt that increased and became a conviction in the minds of many of his best friends. . . . The impression prevailed that the President regarded the heads of departments, invested by law with specific and independent duties, as mere subordinates, whose functions he might assume. . . . It can hardly be said that we had a strictly Republican Administration during Grant's two terms. While Republicans were selected to fill the leading offices, the policy adopted and the controlling influence around him were purely personal. He consulted but few of the Senators or members, and they were known as his personal friends. Mr. Conkling, by his imperious will, soon gained a strong influence over the President, and from this came feuds, jealousies, and enmities, that greatly weakened the Republican party and threatened its ascendancy."¹ In the questions of taxation, debt, and finance, so important to the welfare of all, Grant showed little interest. "His veto of the bill to increase the amount of United States notes, on the 22d of April, 1874, was an exception, but on this he changed his mind, as he had expressed his approval of the bill when pending."²

"General Grant became afterward so thoroughly a party man that it is necessary to recall by a positive effort that his position was looked upon as very uncertain when his Administration began. His report to President Johnson on the condition of the Southern States had indicated that he was not in sympathy with the Congressional plan of reconstruction, which was the burning question of the time. Party leaders were nervous lest he should prove unwilling to conduct his Administration in harmony with them, and in case of a break they feared a total loss of party control in the country. Members of the Administration were therefore

* John Sherman's "Recollections of Forty Years in the House, Senate, and Cabinet."

² Ibid.

urged strenuously to make no issue on what might be regarded as a personal wish of the President, and they shared the opinions of their party friends enough to make them feel the importance of avoiding collision."¹

General Grant's deficiencies in the Presidential office were, however, nearly all due to faults of his character which were based in virtues. To the man's moral and physical courage, and his calm, but all but stubborn bearing, he added a magnanimity and an unsuspecting integrity, which were at once his strength and his weakness. Herein lay the secret of the love men bore him and of their trust in him. But these characteristics combined with his inexperience of civil life to disarm him against the dishonorable subtleties of pretended friends, thus continually compromising him. "A certain class of public men adopted the practice of getting an audience and making speeches before him, urging their plans with skilful advocacy and impassioned manner. They would then leave him without asking for any reply, and trust to the effect they had produced. Perhaps their associates would follow the matter up in a similar way. It would thus sometimes happen that, for lack of the assistance which a disinterested adviser could give, his habitual reticence would make him the victim of sophistries which were not exposed, and which his tenacity of purpose would make him cling to when once he had accepted them."² General Sherman thought that his old friend, Grant, would be "made miserable to the end of his life by his eight years' experience" in the Presidency. As we shall see, there was considerable reason for this foreboding. He evidently had Grant's case chiefly in mind in regretting "the reputations wrecked in politics since 1865," and "the many otherwise good characters" whom political life had "poisoned."

Grant's first Cabinet was on the whole not strong, though comprising several thoroughly competent men. Hon. E. B.

¹ J. D. Cox, "Atlantic Monthly," August, 1895, p. 167.

² J. D. Cox, *ibid.* p. 173.

Washburne, of Illinois, was at first Secretary of State, but resigned to accept the position of Minister to France. He was succeeded by Hon. Hamilton Fish, of New York, a gentleman of great ability, who had been honorably prominent in the politics of his State, and had served a term in Congress. The Interior Department was placed in charge of J. D. Cox. A. E. Borie was made Secretary of the Navy. This appointment was much criticised, and Borie soon resigned, when the place was given to George M. Robeson. President Johnson's Secretary of War, General Schofield, Grant retained for a time. General Rawlins, an excellent and useful officer, succeeded him, but died soon. His successor was William W. Belknap. J. A. J. Creswell was Postmaster-General, E. Rockwood Hoar, Attorney-General. A. T. Stewart, the New York millionaire merchant, was named for the Treasury portfolio, and the Senate confirmed him with the rest, but the appointment was found to be contrary to a statute of 1789, providing that no person engaged in trade or commerce should hold that office. Efforts were made to remove the legal barrier, which failed, and George S. Boutwell was appointed.

No strictly positive policy at this time inspired the Republican body. Republicans certainly opposed any repudiation of the war debt, whether by taxing bonds or by paying the principal or the interest of them in dollars less valuable than gold dollars. But this was only a phase of the party's war zeal, which always carried men's thought backward rather than to the future. Upon the tariff question it was impossible to tell where the party stood, though, clearly, the old Whig high-tariff portion of its constituency did not yet dominate. Nothing bolder than "incidental protection" was urged by any one, except where a State or section, like Maine, tentatively commended some interest to the "care, protection, and relief" of the Government. In their public utterances touching the tariff the two great parties differed little. In each, opinion ran the gamut from "incidental protection," where Democrat met Republican in amity, to "ap-

proximate free trade," which extreme there were not lacking Republicans ready to embrace had the tariff been then a party issue.

Instead of looking forward and studying new national interests, the party grounded its claims too exclusively upon the "glorious record" which truly belonged to it, and upon the alleged total depravity of the Democrats with the eternal incorrigibleness of the South. Said Senator Morton, of Indiana: "The Republican party . . . could not afford to make a distinct issue on the tariff, civil service reform, or any other individual measure; it must make its stand on these assertions: The Democrats, if they return to power, will either take away the pensions of the loyal soldiers, or else will pension Confederate soldiers also; will, when they have a majority in Congress, quietly allow the Southern States to secede in peace; will tax national bonds and unsettle everything generally." In January, 1871, Senator Henry Wilson wrote: "To keep out of power the Democratic party and its semi-rebellious adherents both North and South, has become a matter of supreme importance to the nation and to the cause of humanity itself."

There were, however, Republicans who by no means shared these views, and the lifting of their hands already foreshadowed the bolt of 1872. Not a few Republican participants in the war wished the earliest possible re-enfranchisement of the Southern whites. It was this sentiment that carried West Virginia for the Democrats in 1870. Re-enfranchisement was a burning question also in Missouri. At the Republican convention in that State the same year, after a hot discussion, General McNeil mounted a chair and shouted "to the friends of the enfranchisement of the white man, that they would withdraw from this convention to the Senate chamber." About a third of the delegates, led by Carl Schurz, retired, and nominated a Liberal-Republican State ticket, headed by B. Gratz Brown. Supported by most of the Democrats who could vote, this ticket was triumphant.

Early in the year 1871, at a political meeting in St.

Louis, was manifested the first overt hostility on the part of the Liberals, or "Brownites," to President Grant. This sign of the times was followed on March 10th by a meeting of a dozen prominent Republicans in Cincinnati, Ex-Governor Cox and Stanley Matthews being of the number. They drafted a report, which was signed by a hundred well-known Republicans, advancing four principles: (1) general amnesty to the late Confederates, (2) civil service reform, (3) specie payments, and (4) a revenue tariff. During the year the "bolt" took on national importance. Sympathy with it appeared throughout the country and in Congress, and existed where it did not appear. Influenced by Mr. Sumner, even the Massachusetts Republican Convention, without going further, condemned, impliedly, Grant's foreign policy. Finally a call was issued from Missouri for a National Convention, to be held at Cincinnati on May 1, 1872, in opposition to Grant and his Administration.

In impotent wrath and bitterness proportioned to the apparent prosperity of the Republicans, stood the Democracy. The more strenuous its opposition to a "godly thorough reformation" of unrepentant rebels, the more determinedly had the people rebuked it at the polls. Hardly more inclined were the people to follow it upon the great question of the public debt, where the party demanded that the fifties should be redeemed in greenbacks—"the same money for the plowholder and the bondholder"—and that all national bonds or the interest thereon should be taxed. Even in the South the leaders began to see that the true policy of "The Reform Party"—the Democracy's *nom de guerre*—was that voiced by the South Carolina Convention in 1870, which proposed to "accept the results of the war as settled facts" and make the best of them, striking out for new issues. This was the keynote of the "New Departure" led by Clement L. Vallandigham, of Ohio. Vallandigham had been the most extreme "copperhead" in all the North. By his outspokenness in defence of the Confederacy during the war he had got himself imprisoned and banished to the South. It was signifi-

cant, therefore, when, in his last public utterance—he accidentally shot himself a month later—his voice once more joined that of South Carolina, this time in accepting “the results of the war, including the three several amendments *de facto*, as a settlement in fact of all the issues of the war.” Chief Justice Chase wrote Vallandigham, praising his action as a “great service to the country and the party,” and “as the restoration of the Democratic party to its ancient platform of progress and reform.” John Quincy Adams, Democratic candidate for Governor of Massachusetts, like Vallandigham, proposed a hearty acquiescence in what was past, and “deplored the halting and hesitating step with which the Democracy was sneaking up to its inevitable position.” “The South,” he continued, “is galled to-day not by the presence of the Fifteenth Amendment, but by the utter absence of the Constitution itself. Is it not silly then to squabble about an amendment which would cease to be obnoxious if it was not detached from its context?”

The method of reconstruction resorted to by Congress occasioned dreadful evils. It ignored the natural prejudices of the whites, many of whom were as loyal as any citizens in the land. To most people in that section, as well as to very many at the North, this dictation by Congress to acknowledged States in time of peace seemed high-handed usurpation. If Congress can do this, it was said, any State can be forced to change its constitution on account of any act which Congress dislikes. This did not necessarily follow, as reconstruction invariably presupposed an abnormal condition, viz., the State's emersion from a rebellion which had involved the State government, whose overthrow, with the rebellion, necessitated Congressional interference. Yet the inference was natural and widely drawn.

“Congress was wrong in the exclusion from suffrage of certain classes of citizens, and of all unable to take a prescribed retrospective oath, and wrong also in the establishment of arbitrary military governments for the States, and in authorizing military commissions for the trial of civilians in time

of peace. There should have been as little military government as possible; no military commissions, no classes excluded from suffrage, and no oath except one of faithful obedience and support to the Constitution and laws, and sincere attachment to the Constitutional Government of the United States.”¹

“It is a question of grave doubt whether the Fifteenth Amendment, though right in principle, was wise or expedient. The declared object was to secure impartial suffrage to the negro race. The practical result has been that the wise provisions of the Fourteenth Amendment have been modified by the Fifteenth Amendment. The latter amendment has been practically nullified by the action of most of the States where the great body of this race live and will probably always remain. This is done not by an express denial to them of the right of suffrage, but by ingenious provisions, which exclude them on the alleged ground of ignorance, while permitting all of the white race, however ignorant, to vote at all elections. No way is pointed out by which Congress can enforce this amendment. If the principle of the Fourteenth Amendment had remained in full force, Congress could have reduced the representation of any State, in the proportion which the number of the male inhabitants of such State, denied the right of suffrage, might bear to the whole number of male citizens twenty-one years of age, in such State. This simple remedy, easily enforced by Congress, would have secured the right of all persons, without distinction of race or color, to vote at all elections. The reduction of the representation would have deterred every State from excluding the vote of any portion of the male population above twenty-one years of age. As the result of the Fifteenth Amendment, the political power of the States lately in rebellion has been increased while the population conferring this increase is practically denied all political power. I see no remedy for this wrong except the growing intelligence of the negro race.”²

¹ Salmon P. Chase, Letter to Democratic National Committee in 1873.

² John Sherman, “Recollections.”

If the South was to become again genuine part and parcel of this Union, it would not, nor would the North consent that it should, remain permanently under military government. Black legislatures abused their power, becoming instruments of carpet-bag leaders and rings in robbing white property-holders. Only doctrinaires or the stupid could have expected that the whites would long submit. So soon as Federal bayonets were gone, fair means or foul were certain to remove the sceptre from colored hands. Precisely this happened. Without the slightest formal change of constitution or of statute the Southern States one by one passed into the control of their white inhabitants.

Where white men's aims could not be realized by persuasion or other mild means, resort was had to intimidation and force. The chief instrumentality at first used for keeping colored voters from the polls was the Ku-Klux Klan, a secret society organized in Tennessee in 1866. It sprung from the old night patrol of slavery times. Then, every Southern gentleman used to serve on this patrol, whose duty it was to whip severely every negro found absent from home without a pass from his master. Its first *post bellum* work was not ill-meant, and its severities came on gradually. Its greatest activity was in Tennessee, Arkansas, and Mississippi, where its awful mysteries and gruesome rites spread utter panic among the superstitious blacks. Men visited negroes' huts and "mummicked" about, at first with sham magic, not with arms at all. One would carry a flesh bag in the shape of a heart and go around "hollering for fried nigger meat." Another would put on an India-rubber stomach to startle the negroes by swallowing pailfuls of water. Another represented that he had been killed at Manassas, since which time "some one had built a turnpike over his grave and he had to scratch like h—l to get up through the gravel." The lodges were "dens," the members "ghouls." "Giants," "goblins," "titans," "furies," "dragons," and "hydras" were names of different classes among the officers.

Usually the mere existence of a "den" anywhere was

sufficient to render docile every negro in the vicinity. If more was required, a half-dozen "ghouls," making their nocturnal rounds in their hideous masks and long white gowns, frightened all but the most hardy. Any who showed fight were whipped, maimed, or killed, treatment which was extended on occasion to their "carpet-bag" and "scalawag" friends—these titles denoting respectively Northern and Southern men who took the negroes' side. The very violence of the order, which it at last turned against the old Southrons themselves, brought it into disrepute with its original instigators, who were not sorry when Federal marshals, put up to it by President Grant, hunted den after den of the law-breakers to the death.

In 1870 and 1871, by the so-called Force Bills, Federal judges were given cognizance of suits against any one for depriving another of rights, privileges, or immunities under the Constitution. Fine and imprisonment were made the penalties for "conspiracy" against the United States or the execution of its laws, as by forcibly or through intimidation preventing men from voting. The army and navy were placed at the service of the President to enforce the act, and Federal judges might exclude suspected persons from sitting on juries. By this drastic measure and its rigorous execution in nine counties of South Carolina the organization was by 1873 driven out of existence. But some of its methods survived. In 1875 several States adopted and successfully worked the "Mississippi plan," which was, by whatever necessary means, to nullify black votes until white majorities were assured. Less violent than the Ku-Klux way, this new one was equally thorough.

Considering the stupendous upheaval in Southern society marked by the erection of bondmen into full citizens, dark days were few. Schools arose. The ballot itself proved an educator, rough but thorough. The negro vote, become a fixed fact, was courted by the jarring factions of whites, and hence to some extent protected. Meanwhile it was plainly to the negro's advantage that he was fighting, not to acquire

status and rights, but for status and rights guaranteed in the organic law of his State.

It yet remained to restore the disfranchised whites and to remove the political disabilities imposed by the Fourteenth Amendment. Except in the case of a few leaders, the disabilities were annulled by the Act of Amnesty passed May 22, 1872. At about the same time general re-enfranchisement was accomplished by State legislation, Liberal-Republicans joining with those Democrats, specially numerous in Missouri and West Virginia, who already enjoyed the right of suffrage.

By March, 1866, the price of gold in paper money had fallen from war figures to 130 $\frac{1}{4}$. There was much illegitimate speculation in the metal, dealing in "phantom gold"—mere betting, that is, on gold fluctuations. Prominent among the operators was the firm of Smith, Gould, Martin & Co. The mind of the firm was Jay Gould, a dark little man, with cold, glittering eyes. Closely associated with him was James Fisk, a vulgar and unprincipled yet shrewd and bold man of business. During the spring of 1869 Gould bought \$7,000,000 or \$8,000,000 in gold, immediately loaning it again on demand notes. There being not over \$20,000,000 gold available outside the Treasury, the business community, in case of any call for gold, was at his mercy, unless the Treasury should sell. This must be prevented.

In June, 1869, President Grant, on a trip from New York to Boston, accepted a place in a private box of the theatre which Fisk owned, and next day took, at the invitation of Fisk and Gould, one of their magnificent steamers to Fall River. After a handsome supper the hosts skilfully turned the conversation to the financial situation. Grant remarked that he thought there was a certain fictitiousness in the prosperity of the country, and that the bubble might as well be tapped. This suggestion "struck across us," said Mr. Gould, later, "like a wet blanket." Another wire must be pulled.

Facts and figures were now heaped together and published to prove that, should gold rise in this country about

harvest time, grain, the price of which, being fixed in Liverpool, was independent of currency fluctuations, would be worth so much the more and would at once be hurried abroad; but that to secure this blessing Government must not sell any gold. Gould laid still other pipes. Fisk visited the Presidential sphinx at Newport; others saw him at Washington. At New York Gould buttonholed him so assiduously that he was obliged to open his lips to rebuke his servant for giving Gould such ready access to him.

The President seems to have been persuaded that a rise in gold while the crops were moving would advantage the country. At any rate, orders were given early in September to sell only gold sufficient to buy bonds for the sinking fund. The conspirators redoubled their purchases. The price of gold rose till, two days before Black Friday, it stood at 140½.

Though he kept it to himself Gould was in terror lest the Treasury floodgates should be opened to prevent a panic. Business was palsied, and the bears were importuning the Government to sell. At his wits' end he wrote Secretary Boutwell:

"SIR—There is a panic in Wall Street, engineered by a bear combination. They have withdrawn currency to such an extent that it is impossible to do ordinary business. The Erie Company requires eight hundred thousand dollars to disburse . . . much of it in Ohio, where an exciting political contest is going on, and where we have about ten thousand men employed, and the trouble is charged on the Administration. . . . Can not you, consistently, increase your line of currency?"

Gould, like Major Bagstock, was "devilish sly, sir." In his desperation he determined to turn "bear" and, if necessary, rend in pieces Fisk himself. Saying nothing of his fears, he encouraged Fisk boldly to keep on buying, while he himself secretly began to sell. Fisk fell into the trap, and his partner, taking care in his sales to steer clear of Fisk's brokers, proceeded secretly and swiftly to unload his gold and fulfil all his contracts. From this moment they acted each by

and for himself, Gould operating through his firm and Fisk through an old partner of his named Belden.

On Thursday, September 23d, while his broker, Speyers, is buying, Fisk coolly walks into the Gold Room and, amid the wildest excitement, offers to bet any part of \$50,000 that gold will rise to 200. Not a man dares take his bet.

On Black Friday the Gold Room is crowded two hours before the time of business. In the centre excited brokers are betting, swearing, and quarreling, many of them pallid with fear of ruin, others hilarious in expectation of big commissions. In a back office across from the Gold Room, Fisk, in shirt sleeves, struts up and down, declaring himself the Napoleon of the street. At this time the Ring was believed to hold in gold and in contracts to deliver the same over \$100,000,000.

Speyers, whom all suppose to represent Gould as well as Fisk, begins by offering 145, then 146, 147, 148, 149, but none will sell. "Put it up to 150," Fisk orders, and gold rises to that figure. At 150 a half million is sold him by Mr. James Brown, who had quietly organized a band of merchants to meet the gamblers on their own ground. From all over the country the "shorts" are telegraphing orders to buy. Speyers is informed that if he continues to put up gold he will be shot; but he goes on offering 151, 152, 153, 154. Still none will sell. Meantime the victims of the corner are summoned to pay in cash the difference between 135, at which the gold was borrowed, and 150, at which the firm is willing to settle. Fearing lest gold go to 200, many settle at 148. At 155, amid the tremendous roar of the bull brokers bidding higher and higher, Brown again sells half a million. "160 for any part of five millions." Brown sells a million more. "161 for five millions." No bid. "162 for five millions." At first no response. Again, "162 for any part of five millions." A voice is heard, "Sold one million at 162." "163½ for five millions." "Sold five millions at 163½." Crash! The market has been broken, and by Gould's sales. Everybody now begins to sell, when the news comes that the Gov-

ernment has telegraphed to sell four millions. Gold instantly falls to 140, then to 133. "Somebody," cried Fisk, "has run a saw right into us. We are forty miles down the Delaware and don't know where we are. Our phantom gold can't stand the weight of the real stuff."

Gould has no mind permanently to ruin his partner. He coolly suggests that Fisk has only to repudiate his contracts, and Fisk complies. His offers to buy gold he declares "off," making good only a single one of them, as to which he was so placed that he had no option. What was due him, on the other hand, he collected to the uttermost dollar. To prevent being mobbed the pair encircled their opera-house with armed toughs and fled thither. There no civil process or other molestation was likely to reach them. Presently certain of "the thieves' judges," as they were called, came to their relief by issuing injunctions estopping all transactions connected with the conspiracy which would have been disadvantageous for the conspirators.

Far the strongest side of Grant's Administration was the State Department, headed by the clever diplomat, Hamilton Fish, one of the most successful Secretaries of State who ever served our country. Here distinguished ability and absolute integrity reigned and few mistakes were made. Were there no other testimony, the Treaty of Washington would sufficiently attest Mr. Fish's mastery of his office. Ever since 1863 we had been seeking satisfaction from Great Britain for the depredations committed during the war by Confederate cruisers sailing from British ports. Negotiations were broken off in 1865 and again in 1868. In 1869 Reverdy Johnson, then our Minister to England, negotiated a treaty, but the Senate rejected it. In January, 1871, the British Government having proposed a joint commission for the settlement of questions connected with the Canadian fisheries, Mr. Fish replied that the adjudication of the "*Alabama* Claims" would have to be first considered, "as an essential to the restoration of cordial and amicable relations between the two Governments." England consented to submit this question also to

the commission, and on February 27th the High Commissioners met at Washington. The British delegation included, besides several noblemen, Sir E. Thornton, the Queen's Minister at Washington, Sir John Macdonald, of Canada, and Mountague Bernard, Professor of International Law at Oxford. The American commissioners were the Secretary of State himself, Justice Nelson of the Supreme Court, Robert C. Schenck, our Minister to England, E. Rockwood Hoar, late United States Attorney-General, and George H. Williams, Senator from Oregon.

On May 8th the commission completed a treaty, which was speedily ratified by both Governments. It provided for arbitration upon the "*Alabama Claims*," upon other claims by citizens of either country against the other for damages during the Rebellion, upon the fisheries, and upon the Northwest boundary of the United States. The principal settlements happily arrived at in this way will be described later.

In 1868 the "Junta of Laborers" in Cuba inaugurated a rebellion against the mother-country. By 1870 most South American States had recognized them as belligerents, and they were eager that the United States should do the same. The sympathies of our people and Government were with them. In the summer of 1869 Secretary Fish, directed by the President, had prepared and signed a proclamation according to the insurgents the rights of belligerents, but owing to the Secretary's firm unwillingness this document was never issued. In July, 1870, the President changed his mind, heartily thanking Mr. Fish for restraining him from issuing the belligerency message. The good offices of the United States were, however, tendered, with the view of inducing Spain to recognize Cuba's independence, preventing further bloodshed; but the overtures were declined.

Spain's barbarous method of warring excited horror. The Spanish Captain-General in Cuba freely sequestered property, to whomsoever belonging, ordered shot every male over fifteen years of age found outside his premises without good excuse, burned every uninhabited hut and every hamlet

not flying a white flag. Such procedure called forth our remonstrance, which, in conjunction with the known sympathy of Americans for the rebels, greatly irritated Spain. Our legation house at Madrid was threatened, our vessels in one or two instances brought to by Spanish men-of-war, and a number of our citizens in Cuba and on the high seas maltreated or killed. Two American citizens, Speakman and Wyeth, embarked by mistake in a vessel carrying an insurrectionary force destined for Cuba. They gave themselves up, but were brutally murdered after the merest form of a trial. This was exasperating enough; but when, on October 31, 1873, the *Virginus*, belonging to an American citizen, was captured on the high seas off Jamaica by the Spanish man-of-war *Tornado*, the American flag hauled down, and Captain Fry, with fifty-six of his ship's company—nine of them American citizens—shot, for some weeks hostilities seemed actually imminent. The *Virginus's* errand was in spirit illegal, perhaps literally so. Many revolutionists were on board, also 2,000 Remington rifles, a mitrailleuse, and a large supply of ammunition and provisions for the insurgents. According to the best authorities, Spain was quite justified in seizing the vessel, though Attorney-General Hoar denied this, but not in putting to death those on board with no trial but a drumhead court-martial.

When the news of the outrage reached this country innumerable indignation meetings were held. President Grant convoked his Cabinet to deliberate upon the case, and the navy yards were set working night and day. The Spanish Minister of State at first haughtily rejected our protest, saying that Spain would decide the question according to law and her dignity. Madrid mobs violently demonstrated against the American Minister, General Sickles. November 4th, Secretary Fish cabled Sickles: "In case of refusal of satisfactory reparation within twelve days from this date, you will, at the expiration of that time, close your legation and will, together with your secretary, leave Madrid." On the 15th, hearing that fifty-seven men had been executed, he sent

word: "If Spain can not redress these outrages the United States will." And on November 25: "If no accommodation is reached by the close of to-morrow, leave." Next day Spain became tractable and Sickles remained. War was happily averted. Spain released the *Virginus* and all the surviving prisoners. Having been, on December 16th, delivered to officers of our navy, the ship, flying the Stars and Stripes, proudly sailed for New York, but foundered in an ocean storm. The prisoners freed reached New York in safety. Spain solemnly disclaimed all thought of indignity to our flag, and undertook to prosecute any of her subjects guilty, in this affair, of violating our treaty rights.

President Grant's negotiations for the annexation of the turbulent little republic known as Santo Domingo—"Holy Sabbath," a bit of unconscious irony—ended less happily. The strategic situation of the island is good, and its aspect inviting—luxurious and fertile valleys between grand ranges of volcanic mountains. The heat is tempered day and night by sea-breezes—sometimes rising to hurricanes. The rich mineral and other resources of the island were known in 1870, but little exploited. A tenth of the people were white, living mainly in the sea-board towns. The rest were hybrid descendants of the man-eating Caribs and of the buccaneers and warlike negroes who fought under Toussaint L'Ouverture.

Embarrassed with a rival, President Baez wished to turn his domain over to us, as a predecessor of his had in like case once given it to Spain. He indicated his desire to President Grant, who despatched Col. Babcock, his assistant private secretary, to report upon the country, its people, its harbors, etc. No member of the Cabinet favored the mission, yet none officially objected. The State Department had nothing to do with arranging it. New York merchants trading to Santo Domingo offered Babcock passage thither, showing that his proposed mission was known, and he would have accepted their offered favor but for Secretary Fish's protest. Transportation for him by the navy was then ordered, and it was

found that he was to be accompanied by Senator Cole, of California, and an officer from the Inspector-General's department who spoke Spanish. "As the members of the Cabinet were carefully discreet in their reticence, the increase of the party and of the apparent importance of the mission caused a certain uneasiness, especially as rumors began to fly about that business speculations were involved, and that the official character of the affair was much less than its real significance. The members of the Government felt loyally bound to suppress their own doubts, and to attribute to the excitability of the quidnuncs the rumors of important purposes connected with Babcock's voyage."¹

Babcock returned bearing a draft of a treaty containing an agreement to cede Santo Domingo to the United States out-and-out for something over a million dollars, or to accept our protectorate over it, at the same time giving us a fifty-year lease of the important bay and harbor of Samana. President Grant had become intensely anxious to acquire this realm. It would afford us a coaling and naval station and a commercial entrepôt, enrich the United States and extend its power, and open a region which the American negro could colonize and manage. At the first Cabinet meeting after his arrival in Washington Babcock appeared, showing each member as he arrived "specimens of the ores and products of the island and descanting upon its extraordinary value. He met a rather chilling reception, and soon left the room. It had been the President's habit at such meetings to call upon the members of the Cabinet to bring forward the business contained in their portfolios, beginning with the Secretary of State. This would at once have brought the action of Babcock up by Mr. Fish's disclaimer of all part in the matter, and his statement of its utter illegality. On this occasion, however, General Grant departed from his uniform custom, and took the initiative. 'Babcock has returned, as you see,'

¹ This and the next following quotations are from J. D. Cox's interesting article, already cited in this chapter.

said he, 'and has brought a treaty of annexation. I suppose it is not formal, as he had no diplomatic powers; but we can easily cure that. We can send back the treaty and have Perry, the consular agent, sign it; and, as he is an officer of the State Department, it would make it all right.' "

"But, Mr. President," said Mr. Secretary Cox, "has it been settled, then, that we *want* to annex Santo Domingo?"

General Grant "colored, and smoked hard at his cigar. He glanced at Mr. Fish on his right, but the face of the Secretary was impassive, and his eyes were fixed on the portfolio before him. He turned to Mr. Boutwell on his left, but no response met him there. As the silence became painful, the President called for another item of business, and left the question unanswered. The subject was never again brought up before the assembled Cabinet."

The treaty was put into form, signed on November 29, 1869, and sent to the Senate the following month. Violent opposition to it was at once manifest, of which Mr. Sumner was the soul. Sumner was Chairman of the Senate Committee on Foreign Relations, and in whatever related to this committee's work was inclined to domineer. He had not agreed with Secretary Fish or the President respecting the ground of our war complaint against England. "Sumner insisted that the hasty proclamation by Great Britain of neutrality between the United States and the Southern Confederacy was the gravamen of the *Alabama* Claims. The President and Mr. Fish contended that this proclamation was an act of which we could not complain, except as an indication of an unfriendly spirit by Great Britain, and that the true basis of the *Alabama* Claims was that Great Britain, after proclaiming neutrality, did not enforce it, but allowed her subjects to build cruisers, and man, arm, and use them, under cover of the rebel flag, to the destruction of our commercial navy."

The President, Sumner now said, had violated our Constitution in negotiating the Santo Domingo treaty as he did; he was also conniving at an infringement of the Dominican

constitution, which forbade alienating any part of that land; and was traversing international law by a menace to the independence of Haiti. Santo Domingo, he alleged, with its undesirable population, was in continual turmoil, had cost Spain more blood and treasure than it was worth, and been lost to her after all. Baez he denounced as a "political jockey," and he declared that adventurers were abusing the President's confidence, as it was beginning to be suspected they had done in regard to "Black Friday" the September previous. Writing to Garrison, December 29, 1870, and referring to his speech on the "annexion" of Santo Domingo, Sumner said that the Haitian Minister had previously visited him, "full of emotion at the message of the President as 'trampling his country under foot.'"

President Grant did his utmost to secure ratification for the treaty. Having expired by limitation on May 21st, it was renewed and sent to the Senate again on the 31st. Direct application to Senators in this interest was made on the President's behalf, a course generally felt to be very objectionable. Republican politicians became divided touching annexation, and the utmost bitterness of feeling prevailed. Secretary Fish's position pending this business was extremely embarrassing. An intimate friend of Mr. Sumner, he was accustomed freely to discuss with him all diplomatic affairs. "He had honestly treated the talk of Dominican annexation as mere gossip, without solid foundation, and now he suddenly found his sincerity in question, under circumstances which forbade him to say how gravely the State Department had been compromised." Twice during the episode he offered his resignation, but the President's earnest entreaty, backed by that of leaders anxious to avoid a breach in the party, each time induced him not to insist on its acceptance. "But the progress of the Santo Domingo business put Mr. Fish in a false position, apparently, and having yielded to the President's urgency that he should remain in the Cabinet, he could not, at the moment, explain fully to Mr. Sumner the seeming changes of his attitude. It is in the nature of such

differences to grow larger, and in the following winter they led to an open rupture between the old friends."

The President's campaign to secure annexation involved bargaining for the votes of certain "carpet-bag" Senators. "He was told that they desired to please him and to support his plans, but, considering Mr. Sumner's controlling influence with their colored constituents, it would be at no small political peril to themselves if they opposed that Senator on the Santo Domingo question. . . . In matters of patronage . . . they found themselves less influential than they had a right to expect. Reciprocity was necessary if the President required their aid. When asked in what departments they found a lack of consideration, the Attorney-General's was named, and it was strongly urged that Judge Hoar should be displaced by a Southern man acceptable to them." Attorney-General Hoar was nominated to the Supreme Court presumably to answer this Southern demand. The Senate refused to confirm his appointment, and Mr. Hoar had to be gotten rid of in some other way. One morning in June, 1870, he received a letter from the President containing the "naked statement that he found himself under the necessity of asking for Hoar's resignation. No explanation of any kind was given or reason assigned." In an interview, subsequently, the President was frank enough to connect this action with "the necessity, to carry out his purposes, of securing support in the Senate from Southern Republicans, who demanded that the Cabinet place should be filled from the South." Amos T. Akerman, of Georgia, was immediately nominated and soon confirmed. The final vote on the treaty was taken June 30th. A considerable majority of the Senators favored it, but not quite the necessary two-thirds.

The treaty having been refused ratification the matter died out of mind; but an irreparable rift between Grant and Sumner resulted. Shortly after Sumner's speech, above referred to, Grant asked Fred. Douglass, who, friendly to Sumner, yet agreed with Grant: "What do you think of Sumner now?" "I believe that Sumner thought himself doing a ser-

vice to a down-trodden people, but that he was mistaken," Douglass replied. This answer not seeming to please the President, Douglass asked what he thought of Sumner. After some hesitation Grant replied, with feeling: "I think he is mad." President Grant considered the failure of the treaty a national misfortune, but submitted with patience, not only to the adverse action of the Senate, but to the suspicions of friends and to the attacks of enemies which his Santo Domingo ambition had aroused.

The annexationists had their revenge when Sumner lost the chairmanship of the Senate Committee on Foreign Relations, which he had held so long and prized so highly. John Lothrop Motley's recall from the British mission was also referred by nearly all to Senator Sumner's course in the Santo Domingo matter. The Saturday Club, of Boston, protested against thus allowing the President's disagreement with Sumner to prejudice Minister Motley by reason of their friendship, considering such treatment certain "to offend all the educated men of New England." Grant's only reply was: "I made up my mind to remove Mr. Motley before there was any quarrel with Mr. Sumner." In his annual message the next December, the President proposed a commission to visit Santo Domingo for additional information about the island and to inquire into the charges of corruption which had been made against the Executive and his agent. With his usual intemperance, Sumner opposed this as committing Congress to "a dance of blood"; yet a bill to create the commission passed the Senate unanimously, the House by a majority of 123 to 63. The commissioners were Dr. Samuel G. Howe, President Andrew D. White, and Hon. A. A. Burton. Their report was favorable, making it credible that the President might have secured annexation had he attempted it in a less autocratic way.

CHAPTER III.

THE GREELEY CAMPAIGN.

The Rise of Horace Greeley—The "Tribune"—Greeley and Grant—The Liberal Republican Movement—The Spoils System—Shepherd at Washington—Scandals Connected with the Collection of the Revenues—Reversal of Hepburn *vs.* Griswold—Grant and Greeley Nominated—Mixed Politics—Both Candidates Severely Criticised—A Choice of Evils—A Bitter Campaign—Difficulties Confronting Greeley—Grant Elected—Greeley's Death—His Character—Continuation of Republican Policy at the South—Force and Anarchy in Louisiana.

ONE hot day in August, 1831, an ungainly journeyman printer from Erie, Pa., was among the "arrivals" in New York City. It was Horace Greeley, born twenty years before, on a farm in Amherst, N. H. From childhood an insatiable reader, at ten he had become the prodigy of his native town. His stump-grubbing on a farm in Vermont, whither poverty drove his father's family, his service as printer's devil there, and later as job and newspaper printer at Erie, paid little. The young man reached the metropolis with only ten dollars in his pocket, while the rest of his earthly goods formed a bundle which he swung in his hand. After long and vain search for work he at last secured a situation so hard that no other printer would take it. In it he wrought twelve or fourteen hours a day, at a rate never exceeding six dollars a week.

After various vicissitudes in job-printing and desultory editorial work, where he evinced genius and zeal, but no special aptitude for business, Mr. Greeley, in 1841, started the "Tribune." For this venture he had borrowed \$1,000. The first week's losses engulfed nearly half this sum, but at the end of a year the paper was an assured success. It soon became the mouthpiece of all the more sober anti-slavery senti-
U. S. VOL. 8.—4.

ment of the time, whether within or without the Whig party, and rose to power with the mighty tide of free-soil enthusiasm that swept over the land after 1850. Greeley and his organ were the chief founders of the Republican party, and the most effective molders of its policy. The influence of the paper before and during the war was incalculable, far exceeding that of any other sheet in America. Hardly a Whig or a Republican voter in all the North that did not take or read it. It gave tone to the minor organs of its party, and no politician on either side acted upon slavery without considering what the "Tribune" would say.

While hating slavery and treason, and hence not averse to the war, Greeley was anxious for peace at the earliest moment when it could be safely had; and forthwith upon the collapse of the Confederacy he dismissed all rancor toward the South. At Jefferson Davis's presentment for treason he stepped forward as bondsman; and in the long friction which followed he persistently opposed all harshness in dealing with the conquered. He disliked Grant as the exponent of severe methods in reconstruction, and, like Sumner, peculiarly abominated his policy of annexing Santo Domingo.

At length Grant and Greeley became, in effect, foes. They had many party friends in common, who sought by every means to reconcile them, but in vain. Greeley was once induced to call at the White House. Grant invited him to a drive, and he accepted. The horses went, the President smoked, and Greeley kept silence, all with a vengeance. Only monosyllables were uttered as the two stiff men rode side by side, and each was glad when they could alight and separate.

In January, 1872, the Liberal Republicans of Missouri issued a call for a national convention at Cincinnati. Greeley and his "Tribune" took sides with the revolt. Soon they were the life of it. Henceforth the opposition to the Administration increased in strength day by day. The Cincinnati "Commercial" and the Springfield, Mass., "Republican" sided with the "Tribune," while the New York "Times" and "Harper's Weekly" earnestly advocated Grant's re-election. Sumner

had long since broken with Grant. Many other prominent Republicans in Congress and outside had lost confidence in the Administration, and then become hostile thereto. General Banks was one of these, Stanley Matthews another, George W. Julian another. Senator Schurz openly stated that if Grant should be nominated for a second term he would bolt the ticket. Early in the second session of the Forty-second Congress there was question of appointing a committee on Investigation and Retrenchment. Debating this, Senator Trumbull vigorously denounced the prevalent abuses in the civil service.

The spoils system had been permitted to invade every branch of the Government. The odium heaped upon carpet-bag rule at the South was all along due in large measure to its corruption. By their influence and example many white Federal office-holders misled the negro officers, State and national, and the voters as well, to regard office as the legitimate prey of the party triumphant on election day. At the North, no less, appointments in answer to political wire-pulling were the regular order of the time. "Work!" said an office-holder in 1870; "I worked to get here! You don't expect me to work now I am here!"

Federal offices were needlessly multiplied. In March, 1871, a custom-house appraiser was appointed at Evansville, Ind. He informed "his Senator" and the Secretary of the Treasury that his office was a sinecure, writing "his other Senator" soon after that it ought to be abolished. He was removed and a more contented incumbent appointed. "Yet," says the ex-appraiser, "there could be no charge of neglect or incompetency, for no officer was ever more faithful and diligent in drawing his salary than I was during those two years, and absolutely there was nothing else to do." In connection with offices where there were far weightier functions than drawing salaries, extravagance, carelessness, and corruption were exposed with damning iteration.

In 1871 the District of Columbia had been given a territorial government, with a Governor, a Board of Public

Works, and a Legislature. The new territory lived too fast to live long, letting out contracts at exorbitant rates, so that they were bought up and sublet, sometimes again and again. It entered upon ambitious schemes of city improvement, which involved the District in a debt far beyond the lawful limit of \$10,000,000. These and other evidences of wasteful administration led Congress, in 1874, to abolish the territorial system and again assume direct control of the District. Lapse of time disposed Washingtonians kindly to remember Shepherd, the head of the territorial government during the great transformation, and later not a few wished his statue to appear in the city which had been rendered so beautiful and commodious through his agency.

More notorious than the "Washington Ring" were the scandals connected with the collection of the revenues. Early in April, 1874, a meeting was held in New York to protest against the revenue and "moiety" laws; "moiety" meaning that the law gave to a spy, with certain officials, one-half of the property forfeited to the Government by fraud discovered through such person's agency. Under these laws there were repeated instances of technical forfeitures and condemnation on the ground of constructive fraud, owing to some slight accidental mistake. The laws were often confused and self-contradictory, placing honest officials in danger of committing flagrant wrongs by the effort to execute their terms. A. T. Stewart is said to have been at one time liable to a forfeiture of \$3,000,000 for an error of \$300.

An informer intimated to a revenue official that an importer had defrauded the Government, paying insufficient duty upon his goods. The official then obtained a secret warrant to seize the importer's books and papers, which was done. The contingent rewards accompanying this business were so enormous that every kind of intrigue, deceit, and subornation was practiced. Informers were charged with downright blackmail, for which the power to seize private books and papers gave them exceptional opportunity. They

sought to stigmatize the entire mercantile class in the importing cities. The terror in which the house of Phelps, Dodge & Co. was long kept by the lurking agents of the Government would be incredible to most of our citizens now. The system would not have surprised people in Naples, but it was revolting to Americans. "Every clerk might become an informer. The Government stealthily put its hand into every counting-room, as the Church through its agents surreptitiously knew every secret of the household." Vicious as it was, not until after long agitation was a law passed putting an end to the moiety abuse with its lucrative espionage and other iniquities.

The President and his Administration were unduly blamed by many eminent citizens of all parties for the reversal in the Supreme Court of the *Hepburn vs. Griswold* decision touching the constitutionality of the greenback. In *Hepburn vs. Griswold* "the majority of the Court as then constituted—five Judges out of eight—felt obliged to conclude that an act making mere promises to pay dollars a legal tender in payment of debts previously contracted is not a means appropriate, plainly adapted, or really calculated to carry into effect any express power vested in Congress, is inconsistent with the spirit of the Constitution, and is prohibited by the Constitution." Said Mr. Justice Field: "That judgment was reached only after repeated arguments were heard from able and eminent counsel, and after every point raised on either side had been the subject of extended deliberation. . . . It is not extravagant to say that no case has ever been decided by this Court since its organization in which the questions presented were more maturely considered. It was hoped that a judgment thus reached would not be lightly disturbed."

The President, Judge Hoar his Attorney-General, and a great many other prominent Republicans were opposed to the principles of the *Hepburn vs. Griswold* decision. This fact, together with the speedy overturn of the decision by an enlarged Court, made it appear as if the composition of

the Court had been changed on purpose to secure a different utterance upon this vital question of Constitutional law. Within a few weeks after the *Hepburn vs. Griswold* decision, during the same term, so soon as its vacancies were filled, the Court, on motion of Attorney-General Hoar, voted to hear the question reargued.

"By act of March 3, 1863, the Court was ordered to consist of ten members, a new member being then added. By act of July 23, 1866, 'to fix the number of Judges of the Supreme Court of the United States,' etc., it was enacted 'that no vacancy in the office of Associate Justice should be filled by appointment until the number of Associates should be reduced to six, and thereafter the Supreme Court should consist of a Chief Justice and six Associate Justices.' By an act of 10th April, 1869, to take effect from the first Monday of December, 1869, it was enacted 'that the Court should consist of a Chief Justice and eight Associates, and that, for the purpose of this act, there should be appointed an additional Judge.' *Hepburn vs. Griswold*, it is stated in the opinion of the Court in the case, was decided in conference November 27, 1869 (8 Wallace, 626), there being then eight Judges (the Chief Justice and seven Associates) on the bench, the lowest number to which the Court had been reduced. One of them, Justice Grier, resigned February 1, 1870. The judgment in *Hepburn vs. Griswold* was announced from the bench and entered February 7, 1870. Mr. Justice Strong was appointed February 18, 1870, and Mr. Justice Bradley March 21, 1870, and the order for the present [new] argument was made by, and the argument itself heard before, the Court of nine, as constituted by the act of 10th April, 1869."¹ Both of the new Justices, Strong and Bradley, voted for the reversal. Judgment was rendered in December, 1870, when the *Hepburn vs. Griswold* decision was set aside by a majority of one. The new dictum of the Court was later quite generally accepted as not forced law, as in real accord with the meaning of the Constitution deeply and broadly viewed.

* 8 Wallace, 528, note.

We shall recur to the subject again in Chapter X., there arguing that the Court's conclusion was sound; but at the time not a few classed it with the Dred Scott decision, as a partisan and most dangerous attack upon our fundamental law. Said an eminent writer: "When public opinion has reached the point of tolerating such proceedings, paper constitutions may well be consigned to oblivion before they fall into contempt."

In spite of all these grounds for criticism, partly solid and partly fanciful, so evidently did the rank and file of the party wish Grant to continue in the White House that his adversaries saw no hope of capturing the Republican convention. Most of them, therefore, allied themselves with the Liberals. The Democrats maintained a policy of "passivity," but long before their convention there were hints that they would accept the bolting Republican candidates as their own, should these not be too radically opposed to Democratic ideas. With such aid the separatists expected to carry the country.

The convention of Come-outers assembled at Cincinnati on May 1st, and effected a permanent organization with Carl Schurz as chairman. Touching the South, the platform declared for general amnesty, local self-government, and the abolition of all military authority as superseding civil law. The suspension of habeas corpus it especially condemned. It denounced corruption in the civil service, and declared against a second term in the Presidency. It demanded a tariff which should not unnecessarily interfere with industry, advocated a speedy return to specie payments, and ended with a eulogy on the Union soldiers. Mr. Greeley was nominated for the Presidency on the sixth ballot. B. Gratz Brown, Governor of Missouri, received the nomination for Vice-President.

Grant's friends were not frightened. They pretended, rather, to regard the nomination as a huge joke. All conceded that Greeley was an honest man, yet he did not inspire confidence. He had a reputation for doing strange, compromising things. John Sherman thought him "probably the most unfit man for President, except Train, that had ever

been mentioned." Many of the Liberals themselves did not fancy him. He was an ultra protectionist, while Schurz and other prominent anti-Administration Republicans leaned toward a revenue tariff. Greeley was understood to intend, in case of his election, to hold his tariff ideas in abeyance in deference to the preferences of his free-trader and low-tariff supporters. This understanding did not conduce to men's respect for him. Sumner was for radical measures in the South, which most of the Liberals deprecated. It was Sumner who, in the Forty-second and Forty-third Congresses, so earnestly sought to pass the Supplementary Civil Rights Bill, with the aim of securing for the Southern negro social as well as political equality with the white man. It imposed heavy penalties on hotel-keepers, theatre and railway managers and others for conducting their businesses so as in any way to discriminate against the blacks. This bill readily passed the Senate whenever moved, but always failed in the House until March 1, 1875, when, a year after Sumner's death, it went upon the statute book—to be, by a Supreme Court decision, October 3, 1883, declared unconstitutional and void.¹ Little as they agreed with one another, however, the majority of the seceders, wishing "anybody to beat Grant," accepted Greeley with no small heartiness.

The Republican Convention met at Philadelphia on June 5th. The platform declared for civil service reform and complete equality in the enjoyment of all civil, political, and public rights throughout the Union, and uttered a somewhat ambiguous statement in regard to the relations of capital and labor. It upheld the President in his Southern policy, though maintaining that State governments should be permitted to function in the fullest degree practicable. The latest amnesty bill of Congress it approved, and it eulogized the President in the highest terms. The Convention exhibited no opposition to Grant, and he was renominated by ac-

* 109 U. S. Supreme Court Reports, 3.

clamation. Henry Wilson, of Massachusetts, was given the second place on the ticket, defeating Colfax, who had incurred the enmity of several men influential in the party.

Between the nomination of Grant and the Democratic Convention at Baltimore, over a month later, public attention was centred upon the attitude of the Democratic leaders to the candidacy of Greeley and Brown. That these nominees were not wholly acceptable to the Democracy there could be no doubt. Many of the party chiefs spoke of Greeley with open derision. Yet, as it was evident that if the Liberal candidates did not receive Democratic indorsement all efforts against Grant would prove unavailing, the majority of the party was for Greeley at all hazards. Said ex-Governor Vance, of North Carolina: "If 'Old Grimes' is in the Democratic hymn-book, we'll sing him through if it kills us." Accordingly, the Convention, which assembled at Baltimore July 9th, notwithstanding considerable opposition, accepted the Cincinnati candidates and platform, adjourning in some hope of victory. A few dissatisfied Democrats met at Louisville on September 3d and nominated Charles O'Connor for President and John Quincy Adams for Vice-President. Both gentlemen declined, but the nominations were left unchanged.

Greeley accepted the Baltimore nomination in a letter dated July 18th. In this he insisted on the "full enfranchisement" of all the white population at the South, and declared that henceforth Democracy and Republicanism would stand for one and the same idea, "equal rights, regardless of creed or clime or color." The entire effective force of the Democracy, South as well as North, rallied to the Greeley standard, joined, strangely, by Republicans and Abolitionists like Trumbull, of Illinois, Julian, of Indiana, Blair, of Michigan, Sedgwick, of New York, and Bird, of Massachusetts. General W. T. Sherman wrote from Paris to his brother, the Senator: "Of course I have watched the progress of political events from this standpoint, and feel amazed to see the turn things have taken. Grant, who

never was a Republican, is your candidate; and Greeley, who never was a Democrat, but quite the reverse, is the Democratic candidate." The Senator replied: "As you say, the Republicans are running a Democrat, and the Democrats a Republican. And there is not an essential difference in the platform of principle. The chief interest I feel in the canvass is the preservation of the Republican party, which I think essential to secure the fair enforcement of the results of the war. General Grant has so managed things as to gain the very bitter and active hostility of many of the leading Republicans, and the personal indifference of most of the residue. He will, however, be fairly supported by the great mass of the Republicans, and I still hope and believe will be elected. The defections among Republicans will be made up by Democrats who will not vote for Greeley."

On June 30th George William Curtis wrote: "The best sentiment of the opposition is that both parties must be destroyed and Greeley's election is the way to destroy them. This is Schurz's ground, who likes Greeley as little as any of us. The argument seems to be, first chaos then cosmos. The 'Nation' and the 'Evening Post' in this dilemma take Grant as the least of evils. He has been foully slandered, and Sumner's speech [of May 31st—see page 85] was unpardonable. He was bitterly indignant at me—said that my course was unspeakable and inconsistent, and that I was bringing unspeakable woe upon my country. I could only reply, 'Sumner, you must learn that other men are as honest as you.'"

Much could be truly said in Greeley's favor. An editor opposed to his election declared "that he was a man of unimpeachable private life, just, charitable, generous; that like many of our greatest statesmen he had raised himself by his own unaided exertions to a place of great power and distinction; that though he had been all his life a politician he had never basely sought office and had never held office save once, and then very briefly; that with all his errors his influence had always been used in favor of every true re-

form as well as many that merely promised well; and that he was a thorough believer in American ideas and things."

Among Grant's critics the cooler argued about as follows: The war issues, they said, should be treated as settled; in its prosperity the party had become careless; the President was surrounded by unwise counselors and influenced by unscrupulous men; under him the civil service had been debauched as never before, even in Jackson's time; if he should be re-elected things could not but go from bad to worse. Putting the very best possible construction upon his motives, they declared, it was obvious that Grant was dividing the party, and therefore should no longer continue its official head. Some of the President's antagonists did not hesitate even to impugn his honesty. His advocacy of reform in the civil service they denominated "thin twaddle." He was charged with incorrigible nepotism. The fact that he had been given a house was deemed suspicious. The utmost was made of his incessant smoking and of his love for fast horses.

"It is not a great draft upon the public purse," said one, "nor a creation of a dangerous family influence, when the President appoints a dozen or more of his relatives to office; but it is a bad example, and shows a low view of the Presidential office. But far worse than this was the scandal of the President's brother-in-law at the capital following the profession of agent for claims against the Government, carrying his family influence into the subordinate Executive departments where such claims are judged, and actually—as he testified before a Congressional Committee—appealing cases from the departments to the President and appearing before him to argue them. In effect this was the sale of the President's influence against the ends of justice by his brother-in-law." This criticism was made by an able writer who, after all, preferred Grant to Greeley.

The President's thick and thin supporters pleaded that under his Administration the public debt had been decreased, taxes lowered, the utmost honesty and economy introduced in

public affairs, industry revived, and confidence restored. They alleged that the cause of the Cincinnati Convention was nothing but selfish discontent. The meeting, they said, had been controlled by scheming politicians and place-hunters, who knew that under Greeley they could have what they wished. If Grant was incompetent, it was asked, what would be the state of affairs should Greeley, who had hardly ever in his life held an office, and never an administrative office, be elected!

A very large class of Republicans admitted as true most that was put forth in criticism of the Administration, yet wished Grant elected. "Of Grant," said one of these Republicans, "we have some reason to think that we know the worst. It appears that he favors civil service reform at least as much as Mr. Greeley does. His relations are now, we believe, all comfortably provided for; gratified citizens have showered upon him as many gifts as he will probably care to receive." "Pitiful as it is to be compelled to choose one of two evidently unfit persons for the highest office in the nation, our preference would be for General Grant. . . . Though of proved incapacity in civil government, he is still believed to be honest, cautious, and steady, with a reserve of intellectual power and moral purpose which, in any coming crisis of our affairs, might be an invaluable aid to the country." This writer did not doubt that Grant was "stolid, barren of ideas, and below the intellectual level of Jackson, Taylor, and Harrison," admitted that vast numbers of Republicans would vote for him merely as a choice of evils, and declared that his re-election could not be taken for an unqualified approval of his administration. "Grant," he said, "conspicuously fails" in obvious desire for the people's good; "his presence inspires no enthusiasm; his pulse does not beat with the popular heart; he has the coldness of Washington without his lofty self-devotion."

As the conflict deepened feeling waxed painfully bitter and the meanest personal allusions were common. Greeley's supporters dubbed their candidate "Honest Old Horace";

the opposition, remembering his bail to Jefferson Davis, whom most abolitionists wished hanged, called him "Old Bail-Bonds." "Grant beat Davis," they said, "Greeley bailed him." He was named "Horrors Greeley," and his homely manners were made the subject of innumerable jests. "Greeley"—so ran one relatively sober estimate—"Greeley, with his immense experience and acuteness, and philanthropic philosophy of life, is still unsteady, grotesque, obstinate, and ridiculous—epithets never yet justly applicable, all at once, to a President of the United States." Cartoons, which played a great figure in this campaign, vastly exaggerated his corpulency. On the unfortunate B. Gratz Brown the stalwarts heaped the worst disgrace which a political candidate can receive, that of being ignored. His views and his record were never mentioned; only his bare name came before the public. In every cartoon by Nast where Greeley was represented, a tag bearing the legend "and Gratz Brown," hung from his coat-tail. Carl Schurz and Whitelaw Reid, both fighting Greeleyites, were pictured with classical and pedantic features, eye-glasses big as tea-cups, and legs ten feet long.

Such coarseness was not confined to the supporters of the Administration. The Greeley press made Grant call to his intimates to bid him good-by, as he sang:

"My friends are gone to Chappaqua,
Oh, put me in my little bed."

Chappaqua was Greeley's country residence. Greeley was dubbed "Old Whitey" for his coat and hat, his most unique habiliments, and the following doggerel was concocted, equally unique in its good humor:

"Press where ye see my White Hat gleam amid the ranks of war,
And be your oriflamme this day the Coat of Chappaqua."

On May 31st Sumner delivered a speech in which he applied to the President the following extract from a letter of Lord Durham to Henry Brougham: "Among the foremost purposes ought to be the downfall of this odious, insulting, degrading, aide-de-campish, incapable dictatorship. At such

a crisis is this country to be left at the mercy of barrack councils and messroom politics?"

If the disclosures and falsehoods about the Credit Mobilier, of which we shall give an account in the next chapter, hurt the party in power, the revelations already made and still coming out concerning the Tweed Ring told against Greeley's cause. Tweed was of Tammany, and Tammany, now in the worst repute it had ever borne, threw to the breeze the Greeley flag. The question of Female Suffrage also plagued Mr. Greeley. The National Women's Suffrage Association met in New York May 9, 1872, and adopted resolutions strongly condemning him for his position in regard to their movement asseverating the right of women to vote under the Fourteenth and Fifteenth Amendments to the Constitution.

Nor was this all. As an uncompromising opponent of the Democracy, Greeley had during his editorial career wielded a terribly caustic pen. This fact much aggravated his new position. A cut in "Harper's Weekly" represented him in the act of eating uncomfortably hot soup from a dish bearing the inscription, "My own words and deeds." Greeley had said that the Democratic party would be better off if there were not a schoolhouse in the country, and he had always represented that only people of the lowest sort naturally found their way to its ranks. Now, as "standard-bearer of the great Liberal movement," he had accepted the nomination of that very party. Against Greeley the arch-abolitionist, every fire-eater paper at the South had for twenty-five years been discharging its most venomous spleen. Once, before the war, a Northern sheet characterized the representative plantation lord as sighing:

"Oh for a nigger and oh for a whip,
Oh for a cocktail and oh for a nip,
Oh for a shot at Old Greeley and Beecher,
Oh for a whack at a Yankee school-teacher;
And so he kept ohing for what he had not,
Not contented with owing for all he had got."

Now the quondam plantation lord was invited to the polls to vote for the "Old Greeley" aforesaid.

Numerous and weighty as were Grant's faults and Greeley's virtues, events or sentiments proved too strong for the bolting movement. Many for a time deluded themselves with the hope of its triumph, but as election day approached it became evident that Grant would receive an overwhelming majority in the electoral college. Most of those Republicans who at first declined to vote for Grant, hoping for a better man, determined, as the campaign advanced, to put up with the ills they had rather than fly to the unknown ones which they believed the promotion of Greeley sure to bring. As State after State declared for Republicanism during the late summer and fall, the shadows of defeat lengthened across Greeley's path. Finally he undertook a personal canvass, stumping New Hampshire and Maine in August, Pennsylvania and Ohio in September. From this campaign work he was called to the death-bed of his wife, over-whose stricken form he watched with the tenderest love and care until she passed away, a week before the election. His defeat at the polls was overwhelming. He carried but six States, all of them Southern. Grant's popular majority approached three-quarters of a million. Mr. Greeley was quite spent in body and mind by the terrible bitterness of the campaign, by the magnitude of his defeat, and most of all by his deep bereavement. Before his wife's death he had said to an intimate: "I am a broken old man. I have not slept one hour in twenty-four for a month. If she lasts, poor soul, another week, I shall go before her." For six weeks he did not enjoy a night of natural sleep. Malaria had already undermined his system, and on November 29th he succumbed, ere the shouts of the victors had died away. At once all laid aside thoughts of triumph, his bitterest enemies hastening to do honor to the memory of his noble character.

In the death of Horace Greeley the nation lost a citizen of sterling worth and deep patriotism. Opinionated, an idealist rather than a practitioner in his contention for right, he had been led into more than one quixotic error, laying himself open to attacks that left their sting. His judgments were

often precipitate and unsound. June 29, 1862, he wrote to J. R. Giddings: "We are going to ruin. McClellan is certainly a fool, probably a traitor, and Halleck is no better. We are doomed." But every one now forgot the man's blunders and remembered only the purity and benevolence of his spirit. No one had ever impeached the honesty of his motives. It was the universal verdict that he had been a man of great soul and lofty devotion, not unworthy the title bestowed upon him by Whittier, of "The Modern Franklin."

As in duty bound, Congress, on February 12, 1873, counted the electoral vote. When the State of Georgia was reached, Mr. Beck, of Kentucky, announced three of the votes of that State for Greeley. The House voting to reject these, since the candidate was dead at the time they were cast, and the Senate voting to receive them, they were thrown out under the Twenty-second Joint Rule, then in force. Upon different objections, but under the same rule, the votes of Arkansas and Louisiana were also rejected. Had Greeley lived he would probably have received sixty electoral votes.

Grant was inaugurated March 4, 1873. In his inaugural address he declared strongly for the establishment of the negroes' civil rights. He maintained that no Executive control was exercised in the Southern States which would not be had in others under similar circumstances. He favored the extension of the country's territorial domains, pledging himself to the restoration, so far as possible, of good feeling, and to the establishment of the currency on a solid basis. He urged the construction of cheaper inland routes for travel and trade, and also the re-establishment of our foreign commerce.

The campaign of 1872 naturally sweetened Sumner's temper toward the Southern people. In a letter to the colored voters of the United States, dated July 29, 1872, he said: "Pile up the ashes, extinguish the flame, abolish the hate—such is my desire." In accordance with this sentiment he introduced in the Senate a bill providing that the names of battles against citizens of the United States while in rebellion should not be continued in the army register or placed on the

colors of regiments. This failed to pass, but an act did pass which happily reduced to some extent the rancor felt by the South against the North. It removed political disabilities from all citizens of the late Confederacy, except Senators and Representatives in the Thirty-sixth and Thirty-seventh Congresses, officers in the judicial, military, and naval service, and heads of departments and foreign ministers of the United States. This act was approved May 22, 1872. However, the Republican programme for governing the Southern States was as yet by no means essentially altered.

Congressional discussions over race difficulties were renewed with some bitterness when, in May, 1872, a bill was brought before Congress, extending to all election precincts the act of 1871, whereby Federal Supervisors could be appointed in towns of over 20,000 inhabitants. It passed the Senate without great difficulty. In the House it was strenuously opposed, its enemies dubbing it "election by bayonet." It finally passed the House also, June 8th, as an amendment to an appropriation bill.

During the second session of the Forty-second Congress, there was more or less race trouble in the South, and the anti-Administration forces took occasion to reflect anew on the President's policy under the Force Act. On January 25, 1873, the House passed a resolution requesting the President to inform Congress touching the condition of South Carolina, in which State, under the authority of the act of April 20, 1871, he had suspended the writ of *habeas corpus*. The citizens of the State also made a request for a statement of the Government's policy in prosecutions under that act. The reply stated that the Executive was disposed, except in grave cases, to show great clemency and to discontinue prosecutions against violators of the law.

The election of November, 1870, gave Louisiana to the Republicans by a substantial majority, but almost immediately the party began to break up into factions. Governor Warmoth was opposed by leading Federal officers, who succeeded in gaining control of the Republican State Convention.

With the assembling of the Legislature in January, 1872, the situation assumed a grave character. On the death of Lieutenant-Governor Dunn, in November of the previous year, P. B. S. Pinchback, a colored adherent of Warmoth, had been elected President of the Senate, but the Administration leaders declared his election illegal. In the House, Speaker Carter, an anti-Warmoth man, was antagonized by Warmoth's friends. After a bitter struggle, during which Warmoth and a number of his supporters were arrested by the Federal authorities, Carter was deposed. A Congressional committee investigated the quarrel, but could not quiet it, and the politics of Louisiana continued in an inflamed condition.

Estrangement soon arose between Governor Warmoth and Pinchback, Warmoth heading the Liberal Republican movement in the State. After much manœuvring the Liberals united with the Democratic and "Reform" parties in a fusion ticket headed by John McEnery, with an electoral ticket supporting Greeley and Brown. The Pinchback faction united with the Grant party, nominating W. P. Kellogg for Governor and Pinchback for Congressman-at-large. There can be little doubt that McEnery was elected by a large majority.

The returns of the election were to be submitted to the State Returning Board. At the time of the election the Board consisted of Governor Warmoth, Lieutenant-Governor Pinchback, Secretary of State Herron, John Lynch, and T. C. Anderson. When this board met, Pinchback and Anderson being candidates for office at this election whose result was to be determined, were declared incapable of serving. The Governor supplanted Herron with a more trusty friend, and proceeded to fill the other two vacancies. In like manner, Lynch and Herron, professing to be the true board, supplied their own lack in numbers. In December, the Supreme Court of the State declared Herron an intruder into the office of Secretary of State, thus demolishing the Lynch and Herron board, while Federal Circuit Judge E. H. Durell, in answer to Kellogg's prayer, enjoined Warmoth's board from acting. Meantime a legislative act, duly passed and approved, ousted

both boards and provided for a new one. This being speedily organized, the returns were canvassed and McEnery was declared elected Governor by a majority of 7,000.

Kellogg's prospects now seemed desperate, but they did not prove to be so. On the night of December 5th, "in his own chambers, without any previous motion in Court," Justice Durell drew up and issued to the United States Marshal, Packard, the following: "It is hereby ordered, that the Marshal of the United States for the District of Louisiana shall forthwith take possession of the building known as the Mechanics' Institute and occupied as the State-house, for the assembling of the Legislature therein, in the city of New Orleans, and hold the same subject to the further order of the Court; and meanwhile to prevent all unlawful assemblage therein under the guise or pretext of authority claimed by virtue of pretended canvass and returns made by said pretended returning officers in contempt and violation of said restraining order; but the Marshal is directed to allow the ingress and egress to and from the public offices in said building, of persons entitled to the same."

This mandate, void in point of law, was efficient, and next morning, obeying the Marshal's order, Captain Jackson, with United States soldiers, began a six weeks' occupation of the State-house. Collector of the Port Casey telegraphed the President: "Marshal Packard took possession of State-house this morning, at an early hour, with military posse, in obedience to a mandate of Circuit Court, to prevent illegal assemblage of persons under guise of authority of Warmoth's returning board, in violation of injunction of Circuit Court. . . . The decree was sweeping in its provisions, and if enforced will save the Republican majority and give Louisiana a Republican Legislature and State government."

The same day the Lynch board met and, though without the returns, elected Kellogg Governor by 19,000 majority. They then proceeded by the very easy and summary method set forth in the following bit of testimony to create a Republican Legislature in place of the legal body:

By Mr. Carpenter. Q. "You estimated it, then, upon the basis of what you thought the vote ought to have been?"

By Lynch. A. "Yes, sir. That was just the fact, and I think, on the whole, we were pretty correct."

This Legislature at once impeached Warmoth, thus making Pinchback Governor for the unexpired term. The Court again aided, enjoining all not named on the Lynch list from claiming office, and enjoining Warmoth from interfering with the organization of the Lynch Legislature.

On December 11, 1872, Pinchback telegraphed the Attorney-General at Washington: "May I suggest that the commanding general be authorized to furnish troops upon my requisition upon him, for the protection of the Legislature and the gubernatorial office?" Kellogg, the heir-apparent, also telegraphed: "If the President in some way indicates recognition, Governor Pinchback and Legislature would settle everything." Collector Casey co-operated: "The delay in placing troops at disposal of Governor Pinchback, in accordance with joint resolution, is disheartening our friends and cheering our enemies. If requisition of Legislature is complied with, all difficulty will be dissipated, the party saved. . . . and the tide will be turned at once in our favor. . . ."

Next day, the 12th, Attorney-General Williams responded: "Acting-Governor Pinchback, New Orleans, Louisiana: Let it be understood that you are recognized by the President as the lawful Executive of Louisiana, and that the body assembled at Mechanics' Institute is the lawful Legislature of the State; and it is suggested that you make proclamation to that effect, and also that all necessary assistance will be given to you and the Legislature herein recognized to protect the State from disorder and violence."

In answer to a telegram from McEnery, begging for delay till a committee of citizens could lay the facts before the Executive, came the following: "Hon. John McEnery. Your visit with a hundred citizens will be unavailing, so far as the President is concerned. His decision is made and will not be changed, and the sooner it is acquiesced in the sooner good

order and peace will be restored. Geo. H. Williams, Attorney-General." Finally this: "Washington, December 14, 1872. General W. H. Emory, U. S. A., Commanding, New Orleans, Louisiana. You may use all necessary force to preserve the peace, and will recognize the authority of Governor Pinchback. By order of the President: E. D. Townsend, Adjutant-General."

On January 7, 1873, the day appointed for the assembling of the Legislature, both the opposing bodies began operations "*inter arma*." A week later both Kellogg and McEnery took the oath of office. President Grant supported the Pinchback claimants with Federal troops. The House of Representatives instructed its Committee on Privileges and Elections to inquire into the dispute. A report was made February 20, 1873, which condemned Federal interference. The committee found that McEnery was *de jure* entitled to the Governorship, but that Kellogg, supported by the army, was *de facto* Governor. The committee recommended the passage of an act "to secure an honest re-election" in Louisiana. The recommendation was not adopted and anarchy, in effect, followed.

CHAPTER IV.

THE GENEVA AWARD AND THE CREDIT MOBILIER.

Outcome of the Washington Treaty—The "*Alabama* Claims"—Vain Efforts at Settlement—The Geneva Tribunal—Rules for its Guidance—Questions Answered By It—Its Decision—The Northwestern Boundary Settlement—The Credit Mobilier Story—Enthusiasm for the West—Vastness of that Section—The Rush Thither—The Pioneers—Land-Grabbing—Grants for Transcontinental Railways—Inception of the Union Pacific Company—The Credit Mobilier Company—Oakes Ames and his Contract—Stock Sold to Congressmen—The "*Sun's*" Publication—The Facts—Ames's Defence—Censure of Him by the House of Representatives—His Death—Reasons for the Sentiment against Him.

NOTHING aided President Grant and his party in their 1872 campaign more than the honorable outcome which the Treaty of Washington had in the Geneva Award and the northwestern boundary settlement, both seasonably made known to the world in 1872. The Award related to the famous *Alabama* Claims, and meant that these, or the most important of them, must be paid us by Great Britain. Chief credit for such happy result was due to Hon. Hamilton Fish, Grant's Secretary of State, yet, naturally and justly, the Administration as a whole profited by his triumphant diplomacy.

The claims usually denominated "*Alabama* Claims" were partly national or, less accurately, "indirect," and partly individual or direct. The national claims were for destruction of United States commerce or its transfer to other flags occasioned by Confederate privateers fitted out wholly or partly in Great Britain, and for enhanced marine insurance and increased cost of the war in life and treasure due to the same cause. The individual or direct claims were for damages through certain specific acts of depredation by Confederate

war vessels, notably the *Alabama*, the *Florida*, and the *Shenandoah*.

In spite of repeated warnings from Hon. Charles Francis Adams, then United States Minister to Great Britain, the Queen's Government had suffered the *Florida*, originally called the *Oreto*, and ostensibly destined for Palermo, Sicily, to be built at Liverpool in 1862, and to receive, at Green Bay, near Nassau, arms and munitions from another vessel. The *Florida* was indeed seized, but soon released. Adams's suspicions were shortly directed against another vessel building at Liverpool, called "the 290," from the number of merchants who contributed to her construction, but later and better known as the *Alabama*. His suspicions were confirmed by evidence which distinguished British counsel declared "almost conclusive," sufficient to impose a "heavy responsibility" upon the collector of customs "if he failed to detain her." Easily dodging the half-hearted reach that was made for her, "the 290" went forth upon her career of devastation, continuing it until she was sunk by the *Kearsarge*. The *Shenandoah* cleared from Liverpool as a merchant vessel, the *Sea King*, and when, in November, 1865, she took in supplies and enlisted men at Melbourne, English liability for her acts became definitely fixed. Claims of a less conclusive nature were made on account of the acts of ten other Confederate privateers.

Mr. Adams left England in 1868 without having obtained any satisfaction of these claims. His successor, Hon. Reverdy Johnson, was upon his arrival in London much dined and wined. He made effusive speeches, judging from which one would think that in his view Great Britain could do no wrong. Secretary Seward, too, had a warm regard for England, and was moreover anxious to settle the difficulty before leaving office. But the Johnson-Clarendon Treaty, the offspring of this cordial policy, was, in the spring of 1869, unceremoniously drummed out of the Senate to the music of Charles Sumner's famous speech, which, as one paper put it, "set almost all Americans to swinging their hats for eight or nine

days, and made every Englishman double up his fists and curse every time he thought of it for several weeks."

That treaty contained not a word of regret for England's unfriendly posture during the war, or the slightest confession of fault. It ignored the national claims of the United States, while its language with regard to British citizens' claims against the United States, whatever was intended by it, was so catholic that when the text of the treaty became known Confederate bonds in England rose from their tomb with ten per cent of their original vitality about them.

On becoming President, Grant recalled Johnson and sent to succeed him John Lothrop Motley, a firm friend of Sumner's, sharing Sumner's extreme views upon the British question. But the policy of the new Administration was not so radical as Sumner's. It laid little stress upon the recognition of belligerency as a ground for damage, and left Great Britain to take the initiative in coming to an understanding. Like Sumner, Mr. Motley wished to insist upon damages for England's premature recognition of the Confederates as belligerents. He, too, was soon removed.

At the instance of England, a joint High Commission was speedily appointed to sit in Washington. The Treaty of Washington, drawn up by this Commission and proclaimed on July 4, 1871, provided for an adjustment of all outstanding differences between the countries touching the fisheries, the northwestern boundary, and the claims of citizens of either Government against the other for acts committed during the Civil War. The Treaty further provided "for the reciprocal free navigation of certain rivers, including the St. Lawrence, for the common use of certain Canadian and American canals, and for reciprocal free transit across the territories of the United States or Canada; these provisions to be enforced by appropriate legislation, to be binding for ten years, and terminable thereafter on two years' notice." In all its articles together the Treaty engaged the co-operation of no fewer than eight sovereign States. The *Alabama* Claims it referred to a Tribunal of Arbitration, consisting of one arbitrator from

each of the high contracting parties and one each appointed by the executives of Italy, Switzerland, and Brazil. Count Sclopis was the Italian arbitrator, Mr. Jacques Staempfli the Swiss, and Baron Itajuba the Brazilian. The tribunal met at Geneva, December 15, 1871, but, as we have observed, did not render its decision until the succeeding year.

The Treaty of Washington had laid down for the guidance of the tribunal three rules, which form such an important contribution to international law that they deserve quotation in full:

“A neutral Government is bound,

“First: To use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use.

“Secondly: Not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

“Thirdly: To exercise due diligence in its own ports and waters, and, as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties.”

In the text of the Treaty of Washington Great Britain denied that these rules were a true statement of the principles of international law as that law stood during the American Civil War, but consented that the *Alabama* Claims should be decided in accordance with them notwithstanding. Both countries agreed to abide by these principles in future, and to invite other maritime powers to do the same.

Question being raised as to the interpretation of certain terms and the scope of certain provisions in the three rules, the tribunal made the following preliminary decisions:

1. The meaning of "due diligence." The tribunal took the ground that what constitutes "due diligence" varies with the circumstances of the case. The greater the probable damage to either belligerent, the greater must be the care taken by the neutral Government to prevent the escape of cruisers from its ports.

2. Should a neutral detain an escaped cruiser when it re-enters the neutral's jurisdiction, the cruiser having in the meantime been regularly commissioned by its Government? The arbitrators decided that the neutral had a right to detain such a cruiser, in spite of its commission, but was under no positive obligation to do so.

3. Does a neutral's responsibility end with the enforcement of its local laws to prevent the escape of cruisers, even if those laws are inadequate? Decision was given that the case must be determined by international law and not by national legislation. If a country's regulations for carrying out its acknowledged international duties are ineffective, they ought to be changed.

Though these decisions touching the law of nations were of world-wide significance, the verdict on the facts in the case had a more immediate interest for the American people. Indirect claims the tribunal dismissed, and it made no award for the expense of pursuing Confederate cruisers, or for any prospective earnings which ships lost through them. But, for Great Britain's negligence in failing to prevent the equipment, arming, and provisioning of the Confederate privateers, the gross sum of \$15,500,000 was awarded the United States. Sir Alexander Cockburn, the English "arbitrator," was the only one to take this decree with ill grace. On the announcement of it he seized his hat and left the room without so much as an adieu, getting "leave to print" with the record of the proceedings a choleric document known as his "Opinions."

The dispute as to our northwestern boundary was also decided in our favor during 1872. By a treaty of 1846 the boundary line between the United States and British America was run westward along the 49th parallel "to the middle of

the channel which separates the continent from Vancouver's Island, thence southerly through the middle of the said channel and of Fuca's Strait, to the Pacific Ocean." Should "the middle" referred to be interpreted as passing through the Strait of Rosario, on the side next Washington Territory, or through the Canal de Haro, on the Vancouver side of the archipelago there? Should those islands be looped into the territory of Uncle Sam, or given to John Bull? This question the Treaty of Washington referred to Emperor William I, of Germany.

The historian Bancroft, the only surviving statesman save one concerned in negotiating the 1846 treaty, argued our claims in this matter, and on October 21, 1872, had the satisfaction of seeing his plea crowned by a favorable decision. "The award," said President Grant, "leaves us for the first time in the history of the United States as a nation, without a question of disputed boundary between our territory and the possessions of Great Britain." It was a proud result for the President, and assisted not a little in his re-election.

While the consequences of the memorable Treaty of Washington were favorable to the party in power, another revelation of the campaign had much influence in the opposite direction. In August, 1872, when the excitement of the Presidential strife was already high, the New York "Sun" published a story which added fresh fuel to the political fires already raging, and promised to generate much steam to propel the Greeley movement. It related to the Credit Mobilier operations in constructing the Union Pacific Railway. If true, the facts said to exist involved in corruption the Speaker of the House, the Vice-President, the Republican nominee for the Vice-Presidency, the Secretary of the Treasury, and others high in political life.

Enthusiasm for the Great West kindled again after the war and became a mania. The climate and soil of the region had been persistently misrepresented by the Hudson's Bay Company, by Great Britain, its successor in title, by influential Southerners jealous of the North, and by numerous ex-

ploring parties. The "Great American Desert" was a dragon of which numberless horrors were related. So early as 1850 it had been outflanked by way of the Horn and threatened from the Pacific Coast, but not till after the war, when Southern influence was withdrawn, was it transfixed by any avenue of general travel or trade.

The United States west of the Mississippi, leaving out Texas, Minnesota, and California, naturally broke up as follows: (1) The Arkansas District, embracing Arkansas, most of Indian Territory and a portion of Missouri. Here were bottoms of Egyptian fertility and warmth, subject to heavy rainfall, in parts forest-covered. Beyond the Ozarks was a colder and dryer plateau. (2) The Lower Missouri Valley, including nearly the whole State of Missouri, also western Iowa and part of Kansas and Nebraska. This was opened to settlement earlier than (1) and was the sooner populated. The rainfall and temperature here were suited to all northern crops, and the land was nearly level. (3) The Upper Missouri Valley, practically coinciding with North and South Dakota. This tract was higher, dryer, and much colder than (2). Fortunately, where it was cold, surface coal was to be had for the digging, and where arid, the earth beneath seemed a vast subterranean sponge, rendering artesian wells a successful means of irrigation. This district was unwooded. (4) The Cordilleran Plateau, extending from 100° W. long., westward to the Rocky Mountains, and from near the Canadian border to the Rio Grande. This vast area was too arid for the plow. Formerly a buffalo range, it has become a great cattle pasture, and is apparently destined to continue such. (5) The Mountain Region, in width from 500 miles at the north and south to 1,000 in the middle, composed of basins more or less extensive, inclosed by sharp and high ridges. Irrigation made some farming possible here, but the mineral wealth was immense and mining became the main industry. (6) The Northwestern Country, comprising parts of Wyoming, Idaho, Montana, and the States of Washington and Oregon. Here timber was plentiful and farming profitable. On

the Pacific Slope from 50 to 200 cords of wood per acre could be cut, and all ordinary crops and fruits save grapes succeeded.

The settler's way to this Promised Land was in some measure made smooth between 1860 and 1870. Arizona, Colorado, Dakota, Idaho, Montana, and Wyoming had been organized as Territories; Kansas, Nebraska, and Nevada had been admitted to Statehood. The status of the West when the rush commenced we set forth in Chapter I. Enormous companies came to the Red River Valley, to Colorado, where raged a mining furor second only to that witnessed by California in '49, to Utah, and to the Slope. People pressed along all river courses, especially up and down the valley of the Columbia. Montana received a farming quota. Helena, whose main street was the Last Chance Gulch, was destined, unlike its compeer, Virginia City, to survive and thrive even when the Last Chance Gulch should become a reminiscence. From California and Colorado the Territory caught the gambling spirit. It was said that two Montana mining millionaires were one evening contributing red, white, and blue wafers to a goodly pile on the table between them, which in due time was "raked in." As they were about to proceed to a new deal, an Eastern stranger approached, threw down a hundred dollar bill and said: "Gentlemen, I would like to join you. There's the money for some chips." Whereupon one of the players told "Sam," the banker, to "take the gentleman's money and give him a white chip."

Many of the Western pioneers were rough fellows, some of them desperadoes. The orderly population which came later brought the bad element under control, at first by vigilance committees, then by law and order methods, though the pistol long had much to do in keeping as well as in breaking the civil peace. Visitors were early struck with the very considerable culture of the people and by the many articles of comfort and even luxury in those Western towns of a day. Newspapers were common from the first. Asked how a town of a few thousand could support four dailies, a resident re-

plied, "Why, stranger, it takes all those dailies to support the town." "Booming" became a fine art. "No Other Land," said one sheet, "No Other Clime On Top of God's Green Earth, Where Land is Free as Church Bells' Chime, Save the Land of Dakota Dirt. Here For a Year of Honest Toil a Home You May Insure, and From the Black and Loamy Soil a Title in Fee Mature. No Money Needed Until the Day When the Earth Provides; Until You Raise a Crop, no Pay:—What Can You Ask Besides?"

Nevada received an overflow from the West—from California. Here and there, slowly transforming the desert into an empire, were scattered still other pools and lakes of humanity. Not the least important of these was the Black Hills settlement. The rumor of "Gold in the Black Hills" grew rife in 1874, and the soldiers were in straits to dam the tide of prospectors till a treaty of cession could be obtained to extinguish the Sioux title. "All same old story," said a warrior. "White men come, build chu-chu through reservation. White men yawpy-yawpy. Say, 'Good Indian, good Indian; we want land. We give muz-es-kow (money), liliota muz-es-kow (plenty money).' Indian say, 'Yes.' What Indian get? Wah-nee-chee (nothing). Some day white man want move Indian. White men yawpy-yawpy. 'Good Indian, good Indian; give good Indian liliota muz-es-kow.' What Indian get? Wah-nee-chee. Some day white man want half big reservation. He come Indian. Yawpy-yawpy: 'Good Indian; we give Indian liliota muz-es-kow.' Indian heap fool. He say, 'Yes.' What Indian get? Wah-nee-chee. All same old story. 'Good Indian, good Indian.' Get nothing!"¹

In one way and another speculators seized upon choice slices of the public domain. Often the alternate quarter-sections belonging to a railroad would be bought up, and the other quarter-sections—Government land—secured in due time through "dummies" located for the purpose. One Montana land shark gave a series of balls and dinners at a country

* "Our Great West," by Julian Ralph.

house, inviting a large number of ladies, and accompanying every invitation with a promise of a \$100 present. At each festival, in the midst of the whirl, each guest signed a claim to a homesteader's rights in the adjoining lands. When the "claims" were "proved up" each lady received her \$100 and the authors of the scheme got land enough for a dukedom. As many such marches depended upon irrigation for their value, "grabs" for "water-rights" early began. "We who are on the ground," said an enterprising Montanian, "are going to get whatever there is lying around. You don't suppose we are going to let a parcel of strangers pre-empt the water-rights so that we must pay taxes to them? No; we prefer to let them pay the taxes to us." A very reasonable preference.

Queer land laws and railroad bonuses made possible bonanza farming on an enormous scale. In the course of years farming of this sort raised up bands of nomadic farm-hands, who, beginning at the South, worked northward with the advancing season till the ripened year found them beyond the Canada border. There were also companies of sheep-shearing specialists, who usually made two rounds a year, passing their winters riotously in the towns and cities. The great cattle-ranges were traversed by still other nomads, the "cowboys," in bands known as "trails," traveling about a day apart, each "trail" with its camp equipage and relay of broncos. Texas cattle would be driven northward to fatten upon the Montanian "Bad Lands" as a preparation for their final journey to Chicago.

Some traits in the foregoing sketch anticipate a little, yet enough of it was true so early as the end of the war to assure a few that the West was to have an enormous development. Two transcontinental railways were planned, one to cross the "Great Desert," the other to round its northern end, both to be equipped as soon as possible with branch and connecting lines. The more southerly, the Union and Central Pacific, had the advantage of earlier completion and a more developed western terminus; but the Northern Pacific could cross the Cordilleras at a lower level and need traverse no desert. Both

enterprises were unstintingly favored by grants of public land.¹ This policy was widely condemned, but also vigorously defended.

In 1871 a competent writer discussing the grant to the Northern Pacific declared it self-evident that as a result of the opening of this region the Government would get ample returns for its liberality. It was more than a royal subsidy by which it had secured the construction of that great highway. It had given therefor 50,000,000 acres of land, an area larger than many kingdoms, worth, if sold at the average price of the Minnesota school lands, \$350,000,000; if sold like the lands of the Illinois Central Railroad, \$550,000,000. Mr. Wilson, for many years Commissioner of the Land Department of the Illinois Central Railroad, comparing this grant with the Illinois Central Railroad grant, thought it a small estimate to say that if properly managed the Northern Pacific's land would build the entire road connecting the cities of St. Paul and Duluth through to Puget Sound and to Portland, the head of navigation on the Columbia, fit out an entire fleet of sailing vessels and steamers for the China, East Indian, and coasting trade, and leave a surplus that would roll up to millions. He deemed the probable value of the grant \$990,000,000, its possible value \$1,320,000,000. The Government gained no popularity by a gift so vast. At the Jay Cooke & Co. failure in 1873 a large part of these lands passed to creditors of the road, one of the circumstances which contributed to make bonanza farming so marked a feature in parts of the West.

In July, 1862, Congress created the Union Pacific Railway Company to build a railroad from the Missouri River to the Pacific Ocean, fixing at \$1,000,000,000 the amount of its stock, loaning it a vast sum in Government bonds, endowing it with an enormous amount of land along the route, and

¹In all, the Union Pacific received 13,000,100 acres, the Central Pacific, 12,100,100; the Northern Pacific, 47,000,000; the Kansas Pacific, 6,000,000; the Atlantic and Pacific, 42,000,000; the Southern Pacific, 9,520,000. The first transcontinental lines also got subsidies exceeding \$60,000,000.

allowing it till 1876 to complete the enterprise. The shares sold slowly, and it was soon clear that unless Congress gave better terms the undertaking would fail. Accordingly a more liberal act was passed. Even this did not put the road in a way to completion. Contractors, several of whom were besought to do so, hesitated to undertake the building of such a line or any part of it, and but eleven miles of the construction were accomplished up to September, 1865. Most believed either that the road could not be built or that it would never pay.

In March, 1865, the Credit Mobilier of America, a company organized by the Pennsylvania Legislature in 1859 as the "Pennsylvania Fiscal Agency," and in its new form soon amply equipped with capital, contracted with the Union Pacific to go forward with the construction. Two hundred and forty-seven miles of road were thus built, carrying the line to the one hundredth meridian. Then arose trouble within the Credit Mobilier Company. T. C. Durant, President of this and Vice-President of the Union Pacific, wished the Mobilier to realize at once all possible profits out of the construction, while his opponents, New England parties, believing that the road would pay, were inclined to deal honestly with it, expecting their profits as corporators in the Mobilier to come from the appreciation of the Union Pacific stock, in which, to a great extent, the Mobilier was paid for its work. This party sought to eject Durant from the Mobilier management, and at length did so; but his power in the railway corporation was sufficient to prevent the Mobilier as such from getting a further contract. After much contention, during which the Mobilier was on the verge of failing, Durant consented that Oakes Ames might take a contract to push the construction of the road. Mr. Ames was at the time a Mobilier stockholder and a representative in Congress from Massachusetts.

Ames's contract was dated August 16, 1867, but on the 15th of the next October he made it over to seven trustees, who took Ames's place as contractor. They did all the things which he had agreed to do, and were remunerated just as he

was to be. The trustees bound themselves to pay over all the profits of their contract to the Mobilier stockholders in the proportions in which these severally held stock at the date of their contract. This arrangement was fully carried out and the road finished under it. It was an adroit way of circumventing Durant and enabling the Mobilier to build the road in spite of him.

During 1867 and 1868 Ames sold shares of Credit Mobilier stock to many members of Congress. He gave away none, but in a number of cases payment was considerably subsequent to sale. Though worth much more, every share was sold for par and interest, just what it cost Ames himself.

Colonel H. S. McComb, of Delaware, in virtue of a subscription that he said he had made for a friend, claimed of Ames \$25,000 in Mobilier stock which he alleged had never been received. Letters passed back and forth between McComb and Ames, in one of which Ames, a blunt, outspoken man, declared that he had placed the stock with influential gentlemen (naming several Congressmen) "where it would do the most good." Press and public eagerly took up this phrase. Soon it was in every mouth, all placing upon it the worst construction which the words could bear. McComb pressed his suit and at last the letters were published. The New York "Sun" of September 4, 1872, in the very heat of the Greeley campaign, came out with the heading: "The King of Frauds; How the Credit Mobilier bought its Way through Congress"; stating that Ames had distributed in bribes thirty thousand shares of the stock, worth nine millions of dollars. The scandal ran through the country like wildfire, the allegations being very generally believed, as they probably are still.

But we now know that they comprised partly gross fabrications and partly gross exaggerations. Mr. Ames's motive was laudable—the completion of a great national work, which has long since paid the country many times its cost. He knew that the Pacific Railway had bitter enemies in Congress and outside, most of them not public-spirited, but the blackmailer servants of Durant, who stood ready, should opportunity

offer, to work its ruin. He wished to be fortified. His method certainly carried him to the verge of propriety, and perhaps beyond; but, everything considered, the evidence shows little ground for the peculiar execration visited upon him. The Poland Committee of the House, reporting on February 18, 1873, declared that Ames had acted with "intent to influence the votes of members." In the sense that he sought to interest men in the enterprise and to prevent them from sacrificing it through apathy or spite, this was probably true. That it was true in any other sense is at least not proved.

"These, then, are my offences," said Ames, in his defence; "that I have risked reputation, fortune, everything, in an enterprise of incalculable moment to the Government, from which the capital of the world shrank; that I have sought to strengthen the work thus rashly undertaken by invoking the charitable judgment of the public upon its obstacles and embarrassments; that I have had friends, some of them in official life, with whom I have been willing to share advantageous opportunities for investments; that I have kept to the truth through good and evil report, denying nothing, concealing nothing, reserving nothing. Who will say that I alone am to be offered up a sacrifice to appease a public clamor or expiate the sins of others? Not until such an offering is made will I believe it possible. But if this body shall so order that it can best be purified by the choice of a single victim, I shall accept its mandate, appealing with unfaltering confidence to the impartial verdict of history for that vindication which it is proposed to deny me here."

The committee recommended his expulsion. "It was useless to point out that no act was before Congress at the time of the alleged bribery, or before or after it, for which Ames was seeking votes. No person whom he had bribed or sought to bribe was produced. Nor was any object he had attempted to accomplish suggested." Hon. B. F. Boyer, one of those who received stock, testified:

"I had no idea of wrong in the matter. Nor do I now see how it concerns the public. No one connected with either

the Credit Mobilier or the Union Pacific Railroad ever directly or indirectly expressed, or in any way hinted, that my services as a member of Congress were expected in behalf of either corporation in consideration of the stock I obtained, and certainly no such services were ever rendered. I was much less embarrassed as a member of Congress by the ownership of Credit Mobilier stock than I should have been had I owned stock in a national bank, or in an iron-furnace, or a woolen-mill, or even been a holder of Government bonds; for there was important legislation while I was in Congress affecting all these interests, but no legislation whatever concerning the Credit Mobilier. I can therefore find nothing in my conduct in that regard to regret. It was, in my judgment, both honest and honorable, and consistent with my position as a member of Congress. And, as the investment turned out to be profitable, my only regret is that it was no larger in amount."

The House proceeded to censure Ames, and it would probably have expelled him had not the alleged offence been committed under a previous Congress. Soon after this censure, which aggravated a disease already upon him, Mr. Ames went home to die. The Wilson Committee reported that the Mobilier had "wronged" the Government, and drafted a bill, which was passed, ordering the Attorney-General to bring suit against its stockholders. He did so, and pushed it to the Supreme Court, but it lamentably failed at every step.

These Congressional charges against Oakes Ames have in no wise the weight which has been attached to them. In making them, the House was actuated by a popular clamor against the Credit Mobilier, sedulously worked up by the Democratic press and by Durant. Many members who voted for the censure at once apologized to Ames, saying that they had done so purely for fear of their constituents. That "credit mobilier" was a foreign name rendered men suspicious of the thing named. The French *Crédit Mobilier*, from which the American concern took its title, had got into trouble in 1868 and been wound up. Such as knew of this thought that fraud must of course taint the Credit Mobilier of America as

well. Some of those charged with having received Ames's alleged bribes cleared themselves at his expense, falsely denying all knowledge of the Mobilier and declaring that they had never directly or indirectly held any of the stock. Such eagerness to disavow connection with it deepened people's suspicion of it. Pressure was used to force Ames, who himself courted investigation, to support these denials. It availed so far as to make him hesitate, telling his story reluctantly and by piecemeal, as if he dreaded the truth. This of course had a further bad effect. In these ways an almost universal impression came to prevail that a fearful crime had been committed, involving most and perhaps all the leaders of the Republican party. Here was rich chance for partisan capital. Democrats and Liberals presented the scandal in the worst possible light and with telling effect. Could anything have defeated Grant, this would assuredly have done so.

CHAPTER V.

"CARPET-BAGGER" AND "SCALAWAG" IN DIXIE.

Grant's Re-election and the South—Court Decisions Confirming State Sovereignty—The Louisiana "Slaughter-House Cases"—*Osborn vs. Nicholson*—*White vs. Hart*—Desolation at the South after the War—Discouragement—Intemperance, Ignorance—Slow Revival of Industry—Social and Political Conflict—The "Scalawag"—The "Carpet-Bagger"—Good Carpet-Baggers—Their Failings—Resistance—Northern Sympathy With This—The Freedmen—Their Vices—Their Ignorance—Foolish and Corrupt Legislation—Extravagant Expenditures in Various States—In Mississippi—In Georgia—In South Carolina—Overthrow of Many Carpet-Bag Governments—Violence Still, but often Exaggerated.

THE re-election of President Grant did not improve the state of feeling at the South. Bitterness toward the powers at Washington and sullen defiance of them were still the temper of most Southern whites. This notwithstanding several facts which might have been expected to produce a contrary effect. Certain important legal decisions of the time should have pleased the South, confirming, as they in a certain way did, the doctrine of State Sovereignty. One such decision was handed down April 14, 1873, in the celebrated Louisiana "Slaughter-House Cases." These arose out of an act passed by the Legislature of Louisiana in 1869, creating the Crescent City Live-Stock Landing and Slaughter House Company, with the exclusive privilege of carrying on the slaughtering business in New Orleans and the adjoining parishes. The butchers of the city contested the act on the ground that it violated the recent constitutional amendments, creating an involuntary servitude, abridging the privileges and immunities of citizens of the United States, denying to the plaintiffs equal protection under the law, and depriving them of their property without due process. In its decision,

from which, however, Chief Justice Waite, with Associates Field, Bradley, and Swayne, dissented, the Court held that servitude means personal servitude; that "there is a citizenship of the United States and a citizenship of the State, each distinct from the other," that while the amendment placed citizens under Federal protection, it gave them no new rights as citizens of a State, and finally that the act of the Louisiana Legislature was not a denial of equal protection by the laws or a deprivation of property.

On April 22, 1872, the Court had rendered its decision in the case of *Osborn vs. Nicholson*, confirming the validity of slave contracts entered into before the Emancipation Proclamation. Another important decision of the same date related to the case of *White vs. Hart*. This arose from the attempt of the plaintiff to recover on a promissory note given for the purchase-money of a slave, the defence claiming non-liability on the ground that by the new Constitution of Georgia the State courts were forbidden to consider the validity of such contracts. In its decision the Court clearly defined the relation of the seceder States to the Union, and held that such a State, having never been out of the Union, was never absolved from the prohibition in the Constitution of the United States against passing laws impairing the obligation of contracts.

On March 22, 1875, the Supreme Court decided that certain corporations created by the Legislature of Georgia while in rebellion were legal. This meant, in effect, that any acts by the *de facto* though unlawful government of that State, so long as they did not tend to aid the rebellion or to abridge the rights of citizens of the United States, were valid.

But Southerners' memories were too sad, their pains too keen, their sufferings of all sorts too terrible, to be assuaged merely by agreeable definitions of points in constitutional law. The war left the South in indescribable desolation. Great numbers of Confederates came home to find their farms sold for unpaid taxes, perhaps mortgaged to ex-slaves. The best Southern land, after the war, was worth but a trifle of

its old value. Their ruin rendered many insane; in multitudes more it broke down all energy. The braver spirits—men to whom till now all toil had been strange—set to work as clerks, depot-masters, and agents of various business enterprises. High-born ladies, widowed by Northern bullets, became teachers or governesses. In the comparatively few cases where families retained their estates, their effort to keep up appearances was pathetic. One by one domestics were dismissed; dinner parties grew rare; stately coaches lost their paint and became rickety; carriage and saddle-horses were worn out at the plow and replaced by mules. At last the master learned to open his own gates, the mistress to do her own cooking.

In a majority of the Southern cities owners of real estate found it for years after hostilities closed a source of poverty instead of profit. In the heart of Charleston charred ruins of huge blocks or stately churches long lingered as reminders of the horrid past. Many mansions were vacant, vainly flaunting each its placard "for rent." Most of the smaller towns, like Beaufort, threatened permanent decay, their streets silent and empty save for negro policemen here and there in shiny blue uniforms. The cotton plantations were at first largely abandoned owing to the severe foreign competition in cotton-growing occasioned by the war. It was difficult to get help on the plantation, so immersed in politics and so lazy had the field-hands become.

Upon the whites in many communities a kind of moral and social stagnation settled down, an unhealthy, hopeless acquiescence in the worst that might come. Politics they long regarded with abhorrence, as the accursed thing that had brought on the war. Whites, as well as negroes, drank recklessly. Few of any class cared much for education. In 1874, Alabama had 380,000 citizens who could neither read nor write, of whom nearly 100,000 were white. Yet the year before the public schools in that State, except in the larger cities, had been closed because the State could not pay the teachers. If, to the Africans, education was freer after

the war than before, turmoil and poverty left the young Southerners of paler skin little time or disposition for schooling. The determination, when it came, of the Southern whites to rule, sad as were the atrocities to which it led, was a good sign, marking the end of a lethargy which boded naught save ill to any.

But the end of trouble was not yet. Mere courage would not bring prosperity to a people undergoing a social and political upheaval which amounted to anarchy and promised indefinite continuance. How angry the conflict was will appear when we see that it brought the "scalawag," the "carpet-bagger," and the negro, partly each by himself and partly together, into radical collision with all that was most solid, intelligent, and moral in Southern society. "Whatever were the designs or motives of the authors of the reconstruction measures, the work of carrying them out was of necessity committed to those who lived at the South. It is a mild statement to say that those on whom this responsibility fell were not generally well suited or qualified for such work. Sweeping denunciations are seldom just. Those who took part in reconstruction at the South were not all, or nearly all, 'Northern adventurers, Southern renegades, and depraved negroes.' Among all the classes so described were worthy and able men; but the crude forces with which they dealt were temporarily too strong for their control or resistance. Corruption ran riot; dishonesty flourished in shameless effrontery; incompetency became the rule in public offices."¹

The South had still, as always, a class of swaggering whites, the kind who earlier said that "the Yankees would back up against the North Pole before they would fight." Once, previous to the war, Hon. John C. Breckinridge, of Kentucky, journeying from New Orleans to Washington, passed through South Carolina. He subsequently related his experience. "But one man," he said, "boarded the cars on the route through that unpopulous piny-wooded land.

* Governor Chamberlain's "Administration in South Carolina," Preface, vi.

He was dressed in full regimentals, and entered the smoking-car with the mien of a Cambyzes or a Murat. I joined this splendid soldier in the smoking-car. I offered him a fresh cigar to engage him in conversation, and began to question him. 'May I ask,' said I, meekly, 'what is going on in this State?' Tossing his head in proud disdain, he replied, 'Going on, suh? We won't stand it no mo', suh! The Governor has sent for his staff to meet with him and consult about it in Columbia, suh! I am one of his staff, suh! We won't stand it any longer, suh! No, suh! It is intolerable, suh! No, suh!' 'Stand what?' I asked, in surprise, not unmixed with dread. 'What is going on?' He answered: 'Stand the encroachments on our Southern institutions, suh! The abolitionists must be crushed, suh! We will do it, suh! South Carolina is ready, suh!' " ¹

In reconstruction times Southern heroes of this stamp turned up as "scalawags." Most of the scalawags so hated after the war were the fire-eaters, old slave-traders, and plantation overseers whom decent society had tabooed before the war. They had no social position to lose, and it was but natural, their social superiors being Democrats, that they themselves should become ardent Republicans. Negro voters they now bought and sold, or shot, just as formerly they had bought and sold, or shot, negro slaves. These same men, who, under Republican rule, sought, with too much success, to lead the blacks, reappeared with the restoration of the Democracy in their original character as negro-baiters, hunting and killing their poor victims whenever this met party exigencies better than bribery did. A few old Whigs, and perhaps some others, joined the Republicans on principle. In the heat of political controversy these might be denounced as scalawags, but they were of a different spirit.

Soon after the reconstruction of his State, at a public meeting in celebration of the event, Wade Hampton advised the blacks to seek political affiliation with the best native whites, as both races equally wished order and prosperity

* S. S. Cox, "Three Decades of Federal Legislation."

restored. Beverly Nash, colored, addressed the meeting, urging the same. "His people," he said, "recognized the Southern white man as their 'true friend,' and he wished all the Confederates re-enfranchised." In this temper colored men formed the Union Republican party of South Carolina, and adopted a platform free from rancor.

Unfortunately, such chance for affiliation was lost. Causes were at work which soon lessened Sambo's respect for "Old Massa," and "Old Massa's" for Sambo. Republicans from the North flocked to the South, whom the blacks, viewing them as representing the emancipation party, naturally welcomed and followed. These "carpet-baggers," as they were called, were made up, in the main, of military officers still or formerly in service, Freedmen's Bureau agents, old Union soldiers who had bought Southern farms, and people who had settled at the South for purposes of trade.

There were, no doubt, many perfectly honest carpet-baggers, and the fullest justice should be done to such. They considered themselves as true missionaries *in partibus*, commissioned by the great Republican party to complete the régime of righteousness which the war and the emancipation proclamation had begun. A prominent Democratic politician, describing a reconstruction Governor of his State, whom he had done his best to overthrow, said: "I regard him as a thoroughly honest man and opposed to corruption and extravagance in office. I think his desire was to make a good Executive, and to administer the affairs of the State in the interest of the people, but the want of sympathy between him and the white people of the State, and his failure to appreciate the relations and prejudices of the two races, made it next to impossible for him to succeed."

In the States where the worst evils were suffered the really guilty parties were usually few, the great body of legislators being innocently inspired by some loud and ringing watchword like "internal improvements," or "the development of the State," to vote for measures devised to enrich

cunning sharks and speculators. What history will condemn in connection with the reconstruction governments is not so much individuals as the system which permitted a few individuals to be so banefully influential, not only in spite of their well-meaning associates, but by means of these. Moreover, carpet-bagger character differed somewhat with locality. Perhaps the reconstructionists of Mississippi were the best. We have evidence that the majority of the white leaders there were honest, being moved in their public acts by strong convictions of right and justice, which cost many of them their lives.

But even of the honest carpet-baggers many were idealists, little likely to help reconcile the races, nearly certain to be misled by their shrewd but unprincipled colleagues. All were disliked and mistrusted by the local whites, as aliens, as late foes in arms, as champions of an order intolerable to the dominant Anglo-Saxon. The sons of Dixie had been educated to believe in the negro as an inferior being. The Confederacy had been, in a way, based on this principle. To establish a government so founded they had ventured everything and had lost. A power unjust and tyrannical, as they conceived, had filled their States with mourning, beggared them, freed their slaves, and, as a last injury and insult, done its best to make the negro their political equal. They resisted, some passively, others actively. The best of them could not but acquiesce with a certain joy when the younger and more lawless used violence, and even murder, to remove the curse. The powerful hand of the Federal Government, sometimes itself perpetrating outrages in effort to suppress such, was evaded by excuses and devices of all sorts. When it was withdrawn, the Southerners announced boldly that theirs was a white man's government, and that the ex-slaves should never take part in it.

On the race issue, the North, including no few Republicans, and even carpet-baggers themselves, gradually sided with the South. Northern Republicans, especially such as had traveled in the South, not seldom regretted that the suf-

frage had ever been given to the blacks. It is interesting to notice that the idea of colored men's voting did not originate at the North. Till 1834 and 1835 free men of color voted in Tennessee and North Carolina. In some sections "the opposing candidates, for the nonce oblivious of social distinctions and intent only on catching votes, hob-nobbed with the men and swung corners all with the dusky damsels at election balls." In 1867, General Wade Hampton, being invited by the colored people to address them at Columbia, S. C., did so, advocating a qualified suffrage for them. After the war Mississippi whites voted unanimously for the Fifteenth Amendment. On the other hand, in the North, at first only Stevens and Sumner were for negro suffrage. So late as 1865 Oliver P. Morton was strenuous against it,¹ foretelling most of the evils which the system actually brought forth. In 1865, Connecticut rejected a negro suffrage amendment by 6,272 majority; in 1867, Ohio, Kansas, and Minnesota did the same by the respective majorities of 50,620, 8,923, and 1,298. In 1868, New York followed their example with a majority of 32,601.

The experiment being tried, all interests, not least those of the blacks themselves, were found to require that the superior race should rule. It seemed strange that any were ever so dull as to expect the success of the opposite polity. One perfectly honest carpet-bag Governor confessed that, while he could give the people of his State "a pretty tolerable government," he could not possibly give them one that would satisfy "the feelings, sentiments, prejudices, or what not of the white people generally in that State."

The good carpet-baggers and the bad alike somehow exerted an influence which had the effect of morbidly inflaming the negro's sense of independence and of engaging him in politics. His former wrongs were dwelt upon, and the ballot held up as a providential means of righting them. The negro was too apt a pupil, not in the higher politics of prin-

¹ See "North American Review," Vol. 123, p. 259 et seq.

ciple, but in the politics of office and "swag." In 1872, the National Colored Republican Convention adopted a resolution "earnestly praying that the colored Republicans of States where no Federal positions were given to colored men might no longer be ignored, but be stimulated by some recognition of Federal patronage." The average negro expressed his views on public affairs by the South Carolina catch: "De bottom rail am on de top, and we's gwineter keep it dar." "The reformers complain of taxes being too high," said Beverly Nash in 1874, after he had become State Senator; "I tell you that they are not high enough. I want them taxed until they put those lands back where they belong, into the hands of those who worked for them. You worked for them; you labored for them and were sold to pay for them, and you ought to have them."

The tendency of such exhortation was most vicious. In their days of serfdom the negroes' besetting sin had been thievery. Now that the opportunities for this were multiplied, the fear of punishment gone, and many a carpet-bagger at hand to encourage it, the prevalence of public and private stealing was not strange. Larceny was nearly universal, burglary painfully common. At night watch had to be kept over property with dogs and guns. It was part, or at least an effect, of the carpet-bag policy to aggravate race jealousies and sectional misunderstandings. The duello, still good form all over the South, induced disregard of law and of human life. "The readiness of white men to use the pistol kept the colored people respectful to some extent, though they fearfully avenged any grievances from whites by applying the torch to out-buildings, gin-houses, and often dwellings. To white children they were at times extremely insolent and threatening. White ladies had to be very prudent with their tongues, for colored domestics gave back word for word, and even followed up words with blows if reprimanded too cuttingly. It was, also, after emancipation, notoriously unsafe for white ladies to venture from home without an escort. . . . If a white man shot a colored man, an excited

mob of blacks would try to lynch him. His friends rallied to the rescue, and a riot often resulted. The conditions were reversed if a white man was shot by a negro." Negro militia at the Governors' beck and call alarmed the whites. White companies formed and offered themselves for service, swearing to keep the peace, but were made to disband. To the Union and Loyal Leagues on the reconstructionists' side answered the Ku-Klux Klan, already described, on the other.

Colored men were quite too unintelligent to make laws or even to elect those who were able to. At one time dozens of engrossed bills were passed back and forth between the two Houses of the Alabama Legislature that errors in them might be corrected. According to contemporary reports, the Lower House expelled one of its clerks for bad orthography and appointed a specialist to rectify the errors. Upon exposure of clerical mistakes the Upper House could not fix the blame, some Senators being unable to write three lines correctly, others wholly ignorant even of reading. One easily imagines how intolerable the doings of such public servants must have been.

The colored legislators of South Carolina furnished the State House with gorgeous clocks at \$480 each, mirrors at \$750, and chandeliers at \$650. Their own apartments were a barbaric display of gewgaws, carpets, and upholstery. The minority of a Congressional committee recited that "these ebony statesmen" purchased a lot of imported china cuspidors at \$8 apiece, while Senators and Representatives "at the glorious capital of the nation" had to be "content with a plain earthenware article of domestic manufacture."

Of the Palmetto State Solons in 1873 an eye-witness wrote: "They are as quick as lightning at points of order, and they certainly make incessant and extraordinary use of their knowledge. No one is allowed to talk five minutes without interruption, and one interruption is the signal for another and another, until the original speaker is smothered

under an avalanche of them. Forty questions of privilege will be raised in a day. At times nothing goes on but alternating questions of order and of privilege. The inefficient colored friend who sits in the Speaker's chair can not suppress this extraordinary element in the debate. Some of the blackest members exhibit a pertinacity in raising these points of order and questions of privilege that few white men can equal. Their struggles to get the floor, their bellowings and physical contortions, baffle description. The Speaker's hammer plays a perpetual tattoo, all to no purpose. The talking and interruptions from all quarters go on with the utmost license. Every one esteems himself as good as his neighbor and puts in his oar, apparently as often for love of riot and confusion as for anything else."

Around the State House, during the session of a Legislature in which were colored representatives, a dense crowd of open-mouthed negroes would stand, rain or shine, and stare at the walls from hour to hour, day after day. In one State election in South Carolina, Judge Carpenter, an old South Carolinian and a Republican, ran in opposition to the carpet-bag candidate. Against him it was charged that if he were elected he would re-enslave the blacks, or that, failing in this, he would not allow their wives and daughters to wear hoop-skirts. Another judge was threatened with impeachment and summoned before the Legislature above described, because he had "made improper reflections on a colored woman of doubtful character."

There were said to be in South Carolina alone, in November, 1874, two hundred negro trial justices who could neither read nor write, also negro school commissioners equally ignorant, receiving a thousand a year each, while negro juries, deciding delicate points of legal evidence, settled questions involving lives and property. Property, which had to bear the burden of taxation, had no voice, for the colored man had no property. Taxes were levied ruinously, and money was appropriated with a lavish hand.

The public debt of Alabama was increased between 1868

and 1874 from \$8,356,083.51 to \$25,503,593.30, including straight and indorsed railroad bonds.¹ A large part of this went for illegitimate expenses of the Legislature; much more was in the form of help to railroads; much went into the hands of legislators and officials; little was returned to the people in any form. In 1860, the expenses of the Florida Legislature were \$17,000; in 1869, they were \$67,000.² Bonds to the amount of \$4,000,000, which this State issued to subsidize railroads, were marketed with difficulty. For some the best terms obtainable were fifty cents on the dollar.³ In less than four months the Legislature of North Carolina authorized the issue of more than \$25,000,000 in bonds, principally for railroads, \$14,000,000 being issued and sold at from nine to forty-five cents on the dollar. The counties began to exploit their credit in the same way, and some of the wealthier had their scrip hawked about at ten cents on the dollar.⁴ In 1871, the Louisiana Legislature made an over-issue of State warrants to the extent of \$200,000, some of which were sold at two and a half cents on the dollar and funded at par.⁵ In 1873, the tax levy in New Orleans was three per cent. Four and a half years of Republican rule cost Louisiana 106 millions, to say nothing of privileges and franchises given away.⁶ Clark County, Arkansas, was left with a debt of \$300,000 and \$500 worth of improvements.⁷ Chicot County spent \$400,000, with nothing in return; and Pulaski County, including Little Rock, nearly a million. Town, county, and school scrip was worth ten to thirty cents on the dollar, and State scrip, with five per cent interest, brought only twenty-five cents. The bonded debt of Ten-

¹ Hilary A. Herbert, "Why the Solid South," p. 62.

² Samuel Pasco, "Why the Solid South," p. 150.

³ *Ibid.*

⁴ S. B. Weeks, "Political Science Quarterly," Vol. IX, p. 686 et seq. Cf. "Why the Solid South," pp. 80, 82. Mr. Weeks vouches for the truth of all the above statements relating to North Carolina.

⁵ B. J. Sage, "Why the Solid South," p. 403.

⁶ *Ibid.*, 406.

⁷ W. M. Fishback, "Why the Solid South," p. 309. See *ibid.* for the other references to Arkansas.

nessee, most of it created in aid of railroads and turnpikes, was increased by \$16,000,000, and the bonds were sold at from seventeen to forty cents on the dollar for greenbacks.¹ In Nashville,² when there was no currency in the treasury, checks were drawn, often in the name of fictitious persons, made payable to bearer, and sold by the ring to note-shavers for what they would bring. Warrants on the Texas treasury brought forty-five cents a dollar, and the bonds of the State were practically valueless.³

In Mississippi, during 1875, including \$374,119.80, vouchers, etc., not charged on the books, \$2,164,928.22 were expended. In 1893, the expenditures were only \$1,249,193.91. In 1870, the State tax rate was \$5 on the \$1,000. In 1871, it was \$4; in 1872, \$8.50; in 1873, \$12.50; in 1874, \$14. In 1875, it fell to \$9.25. The Democrats came in in 1876, whereupon the rate fell to \$6, decreasing continually until it reached \$2.50 (1882-85), after which time it rose once more, in 1894, standing at \$6. The average county tax rate also fell from \$13.39, in 1874, to \$7.68, in 1894. Comparing the average rate between the years 1870 and 1875, inclusive, with that between 1876 and 1894, inclusive, we find that the State tax rate under Republican rule was two and a third times higher than under the Democrats afterward. The county tax rate for the same six years averaged about an eighth higher than for the nineteen years after 1875.

Under the Republicans the annual average of auditor's warrants issued for common schools was \$56,184.39. To September, 1895, the Democrats issued an average nearly six times as large. Mississippi's total payable and interest-bearing debt on January 1, 1876, when the Democratic administration succeeded the Republican, amounted to \$984,200,

¹ J. P. Jones, "Why the Solid South," p. 214.

² *Ibid.*, 199.

³ Chas. Stewart, "Why the Solid South," p. 378. On all the foregoing debt statements see also S. B. Weeks in "Political Science Quarterly," Vol. IX, p. 681 et seq.

besides \$414,958.31 in unpaid auditor's warrants. The Republicans' expenditures were as in the following table:

1870 (Beginning March 11).....	\$ 975,455.65
1871 (For the whole year).....	1,729,046.34
1872	1,596,828.64
1873	1,450,632.80
1874	1,319,281.60
1875	1,430,192.83
Total	\$8,501,437.86
Average per annum.....	\$1,464,480.00

After the downfall of the Republican order, the heaviest expenditures were in 1894 — \$1,378,752.70; the lightest, \$518,709.03, in 1876. The average annual expenditure, from 1876 to 1894, was between sixty and seventy per cent of the average for reconstruction times.¹

When, in July, 1868, Rufus B. Bullock became Governor of Georgia, the debt of that State stood at \$5,827,000. All had been created since the war except the Brunswick and Albany debt about to be mentioned. \$429,000 of the debt, perhaps more, was paid during Governor Bullock's three years, but the bonded indebtedness of the State was meantime increased by the issue of \$3,000,000 in gold bonds for the State's own behoof, and of \$1,800,000 gold bonds in payment of a State war debt to the Brunswick and Albany Railroad Company. Considering this sum the State's debt at the end of the war, its actual debt on January 1, 1874, being \$8,343,000, we may place the debt incurred during reconstruction at about six and a half millions. The outstanding bonds of defaulted railroads, the validity of which was acknowledged by the State, are not included in this amount.

The contingent liabilities of the State were also increased

¹ The Mississippi figures are vouched for by J. J. Evans, State Treasurer in October, 1895, as from the Mississippi State Treasurer's and Auditor's books and reports. The author begs his readers' pardon for using in the Magazine draft of this History a table of Southern State reconstruction debts which enormously exaggerated the Mississippi and also the Georgia debt.

during the Bullock administration by the indorsement of railroad bonds to a total of \$6,923,400. The Georgia Air Line returned \$240,000, which should be deducted from the above total. On the other hand, the total must be enlarged by \$400,000 in bonds of the Macon and Brunswick Railroad Company, indorsed, as it would seem, though no official record was made, by Governor Jenkins. It was charged and almost universally believed, but not proved, that State indorsement was often, if not regularly, secured before the beneficiary roads had built and equipped the required number of miles. The Cartersville and Van Wert secured \$275,000 of indorsed bonds; then, changing its name to the Cherokee Railroad and agreeing to withdraw these bonds, obtained a new issue of indorsed bonds to the amount of \$300,000. The first issue was not, after all, withdrawn, and color was thus given to insinuations against Governor Bullock's integrity. Such insinuations were also made in the case of the Bainbridge and Columbus road, but fell flat. \$240,000 in bonds for this road the Governor indorsed before leaving the State on a temporary visit, but the guarantee could not be valid without the State seal. The Secretary of State was to affix this in case the road complied with the conditions, which was not done, and the bonds were never issued.

The Georgia railroad bonds were bought partly by North-erners, partly by a German syndicate. At home they were ceaselessly denounced as "bogus" and "fraudulent," on the ground that they had been issued contrary to the conditions of the authorizing statutes, as well as, in some cases, to the Constitution of the State. The State, however, refused to submit the question to her courts, but repudiated the bonds, and, to assure herself against payment, in 1877, embodied the repudiation in her Constitution.¹

The first South Carolina Legislature, under the recon-

¹ The direct gold bonds to the Brunswick and Albany were among the repudiated. The only railroad bonds recognized as valid amounted to \$2,688,000 to four different roads, one of which was paying its interest. Tenth Census, Vol. VII, p. 585.

structed Constitution, an excellent instrument, by the way, consisted of seventy-two white and eighty-five colored members, containing only twenty-one white Democrats. At that date the State's funded debt amounted to \$5,407,306.27. At the close of the four years of Governor R. K. Scott's administration, December, 1872, though no public works of appreciable importance had been begun or completed, that debt, with past-due interest, amounted to \$18,515,033.91. This increase represented "only increased, extravagant, and profligate current expenditures." In December, 1873, an act was passed declaring invalid \$5,965,000 of the bonds known as "conversion" bonds, recognizing as valid \$11,480,033.91 in principal and accrued interest, and providing for refunding the debt in new bonds at 50 per cent of the par value of the old. Between 1868 and December, 1874, the total cost of sessions of the Legislature, six regular and two special, was \$2,147,430.97, to say nothing of bills payable for legislative expenses, amounting to \$192,275.15.¹ The total cost of State printing and advertising during the period named was \$1,104,569.91, and during the last three years thereof \$918,629.86. Running deficiencies were simply enormous. For the single fiscal year ending October 31, 1874, they were \$472,619.54. Warrants, orders, and certificates for public money were issued when no funds were on hand to pay them. There was thus, in addition to the bonded debt, a floating indebtedness of nearly or quite a million dollars.²

By 1874, in most of the Southern States, the carpet-bag governments had succumbed. Such States were well on the way to order and prosperity, though breaches of the peace still occurred there with distressing frequency. From Alabama, in particular, came startling reports of terrorism. They had some foundation, but were greatly exaggerated by interested or ill-informed persons. In a letter to Hon. Joseph R. Hawley, Hon. Charles Hayes wrote of one Allen as having been beaten by ruffians and threatened with death if he "didn't keep

Governor Chamberlain's "Administration in South Carolina," p. 17.

² Ibid., p. 18 et seq.

his mouth shut about that d—d Yankee, Billings," who had been assassinated. To a New York "Tribune" correspondent Allen said he had been assaulted by a solitary gentleman, armed only with the weapons of nature, who scratched his face. Some "massacred" persons denied that they had been hurt at all. Such violence as did occur by no means always proceeded from whites. It is well authenticated that colored Democrats were maltreated by colored Republicans. The blacks were often unfriendly to whites even when these were Republicans. It is quite true that where negroes were thought to be politically dangerous or were otherwise obnoxious to the whites they received little consideration. Sixteen were taken from a jail in Tennessee and shot by a band of masked horsemen, their bodies being left in the road. The Governor offered a reward for the apprehension of the murderers, when one turned State's evidence and told everything. The others were at once arrested; whether punished does not appear.

CHAPTER VI.

DECLINE OF THE TRANSITIONAL GOVERNMENTS IN SOUTH CAROLINA, ARKANSAS, MISSISSIPPI, AND LOUISIANA.

Gen. Sherman on the Southern Problem—Reckless Legislation in South Carolina—Appeal of the Taxpayers' Union—Gov. Chamberlain's Reforms—The Conflict in Arkansas—Factions—The Stake Fought For—A New Constitution—Gov. Garland Elected—Report of the Poland Committee—The Vicksburg "War"—Mayor *vs.* Governor—President Grant will not Interfere—Senator Revels on the Situation—The Mississippi Reconstructionists—The Kellogg-McEnery Imbroglio in Louisiana—Metropolitans and White Leaguers Fight—The Kellogg Government Overthrown but Re-established by Federal Arms—Protests—The Election of Nov. 2, 1874—Methods of the Returning Board—Gen. Sheridan in Command—Legislature Organized Amid Bayonets—Members Removed by Federal Soldiers—Sheridan's Views—Allegations Contra—Public Opinion at the North—The "Wheeler Adjustment."

SOUTH CAROLINA, Arkansas, Mississippi, and Louisiana were in 1874 still under carpet-bag sway. Their nearly complete deliverance therefrom during this year and the next forms an interesting chapter in the recent history of our country.

In a letter written so early as 1869, after an extended Southern trip, General Sherman said: "I do think some political power might be given to the young men who served in the rebel army, for they are a better class than the adventurers who have gone South purely for office." Again, in 1871, he wrote: "I told Grant plainly that the South would go against him *en masse*, though he counts on South Carolina, Louisiana, and Arkansas. I repeated my conviction that all that was vital in the South was against him; that negroes were generally quiescent and could not be relied on as voters when local questions became mixed up with political matters." This was an exact forecast of the actual event in all the States named.

In each a reform faction of white Republicans grew up, disgusted with carpet-bag corruption and unwilling longer to limit their political creed to the single article of negro rights. In the face of this quarrel, negroes became bewildered, so that they either scattered, withheld, or traded their votes, in a way to replace political power in the hands of the Democrats.

The carpet-bag Legislature of South Carolina guaranteed \$6,000,000 in railroad bonds to subsidize the Greenville & Columbia and the Blue Ridge Railroads, taking mortgages on the roads to cover the amount. Rings of carpet-baggers and native speculators obtained legislation releasing the mortgages but continuing the State's liabilities. Seven hundred and fifty thousand dollars or more in fraudulent State bank-notes were approved and assumed by the State. Though property in general had lost two-thirds of its ante-bellum value, it paid on the average five times heavier taxes. In 1872, 288,000 acres of land with buildings were said to have been forfeited for the tax of twelve cents an acre. As in Arkansas and in Louisiana, the Governor had dangerously great patronage. Negro felons were pardoned by wholesale for political purposes. Undeserving white convicts could be ransomed for money. Of the three justices on the Supreme Bench one was a carpet-bagger and one a negro. Juries were composed of illiterate and degraded men.

In March, 1874, a committee of the South Carolina Tax-payers' Union waited on President Grant with complaints. He expressed regret at the anarchic condition of South Carolina, but said that as the State government was in complete working order the Federal authority was powerless. This appeal, however, favorably affected public opinion. "It shows," said one journal, "that the South cherishes no sullen hostility." Antipathy toward Southerners slowly changed to sympathy. The doings of the South Carolina Republicans could not but be disapproved by the party in the nation. Democrats and non-partisans denounced them as travestying free institutions.

In 1874 the South Carolina Republicans quarreled. After

a hot contest the regular convention nominated Hon. D. H. Chamberlain for Governor, Moses, his predecessor, being set aside. Chamberlain was a native of Massachusetts, a graduate of Yale and of the Harvard Law School. He was a polished gentleman and an able lawyer. During the war he had been First Lieutenant and then Captain in the Fifth Massachusetts Cavalry. His principal service in the army was in the way of staff duty as Judge-Advocate and as Assistant Adjutant-General. War ended, he became a citizen of South Carolina in time to sit in its Constitutional Convention. The Independent Republicans bolted Chamberlain's nomination and put up for Governor Judge John T. Green, a native South Carolinian, to whose standard rallied the entire "reform" element of the State, whether Conservative or Republican.

The Chamberlain ticket was elected. In his inaugural address Governor Chamberlain marked out an able scheme of retrenchment and reform, soon showing, to the astonishment of many and to the dismay of some among his leading supporters, that he was in earnest with it. The enormous power given the Executive, apparently that he might abuse it, enabled Chamberlain, spite of his party allies, to effect sweeping improvements. He supplanted dishonest officials with men of integrity, Republicans if such were available, if not, Democrats. He vetoed corrupt jobs and firmly withheld pardons. Ex-Governor Moses and the infamous Whipper, elected by the Legislature to the Circuit Bench, he refused to commission. Good jurors were selected, and crime and race hatred wonderfully diminished. Like the English in Ireland, Governor Chamberlain learned that an abstractedly good government over a community may fit the community very ill. Carpet-bagger, scalawag, and negro, however well intentioned and wisely led, could not in the nature of the case rule South Carolina well. Nevertheless his praiseworthy effort hastened the advent of order by revealing the nature of the evils which needed reforming.

Arkansas was another of the States where exotic government died extremely hard. Its persistence there was due to

the strong Union sentiment which had always existed north of the Arkansas River. The State's colored vote was only a quarter of the whole, but was potent in combination with the large white vote which remained Republican till shamed into change. In this State, so stubborn were the traditions and temper of its citizens, neither faction readily gave way.

The conflict in Arkansas was between the Liberal-Republicans, called "brindle-tails," led by James Brooks, and the Radical-Republicans, headed by Baxter. Chief Justice McClure, nicknamed "Poker Jack," and the United States Senators, Clayton and Dorsey, sided with Baxter. The returns of the 1872 election seemed to make Baxter Governor, but Brooks alleged fraud and sought by every means to change the result. He appealed to the United States Court for a *quo warranto* against Baxter, but it declined to assume jurisdiction in the case. The State Supreme Court also declined. The Legislature could have authorized a contest, but refused to do so. Not disheartened, Brooks sued for and secured from the Circuit Court of Pulaski County, April 15, 1874, a judgment of "ouster" against Baxter, took forcible possession of the State-house, and held it with cannon and some hundred and fifty men. Next day Baxter proclaimed martial law, marched two hundred partisans of his into Little Rock and surrounded the State-house. The Federal forces, while neutral, enjoined both parties from precipitating an armed collision. Reinforcements from both sides constantly came in, making Little Rock for the time a military camp.

A body of Baxter's colored supporters, applauding some utterance of his, were fired into—accidentally, as was said. Indiscriminate shooting ensued, with sanguinary results. Federal forces had to quell the disturbance. Excitement was undiminished until the end of April, breaches of the peace being frequent, though no general engagement occurred. On April 30th took place an action in which Brooks suffered the loss of twenty-five men killed and wounded; some accounts say seventy-one. A week later, and again two days later still, there were sharp skirmishes. The streets of Little Rock were

barricaded, and communication with the outside world much impeded. Meantime the agents of the two parties in Washington were engaged in legal and diplomatic fencing, but effort after effort at compromise proved abortive.

Neither side had an inspiring cause. In that poverty-stricken State offices were perhaps more numerous and fat than in any other commonwealth of the Union. Each side hungered for these. A cartoon of the period figured Arkansas as a woman gripped between two remorseless brigands with pistols leveled at each other. By the Constitution of 1868 the Governor appointed to five hundred and twenty-six salaried posts, besides creating all the justices of the peace and constables. Public expenditures, which, in six years, had amounted to \$17,000,000, might, if properly looked after, be made a rich source of revenue to many. The following instance is well authenticated and where there can be one such there are certain to be many: In Fort Smith in 1873 a widow who made a living by sewing was taxed \$60 on a lot fronting in a back alley and a house which could be built for from \$300 to \$400. It was more money than she ever had at one time in her life. Moved to tears over this woman's deep distress at the prospective loss of her home, a benevolent lady persuaded her husband to pay the taxes as an act of charity.¹

The Legislature, convened by Baxter on the 11th of May, telegraphed for Federal interposition. Grant at once recognized Baxter and his Legislature, and ordered "all turbulent and disorderly persons to disperse." But the end was yet remote. The Poland Committee on Arkansas Affairs, appointed by the National House of Representatives, elicited the fact that Baxter and the leaders of his party, notably Clayton and Dorsey, were no longer on good terms. His disappointing integrity had lost Baxter his "pull" with the Senators and with the Arkansas Supreme Court, presided over by McClure. The following is from the evidence laid before the committee during the summer of 1874:

* W. M. Fishback. "Why the Solid South," p. 308.

"Q. State what you know in regard to the origin of the difficulties between Governor Baxter and the leaders of the party that elected him.

"A. As I understand it, in the time of it, it originated with an effort made on the part of the Republican party proper to carry through the railroad bill. It originated with his opposition to this bill, or with his declaring that he would defeat the bill.

"Q. What was the nature of the bill?

"A. There had been \$5,200,000 State-aid bonds issued, and the object of the bill was for the State to assume that indebtedness and take in lieu of it railroad bonds.

"Q. Was that considered as any fair equivalent?

"A. It was considered that that would be of no value at all.

"Q. What was the general opinion in relation to those bonds; was it that the State had any benefit from them, or the roads, or individuals who pocketed the bonds?

"A. The impression on the public mind is that the bonds were divided up between the managers of the different roads." ¹

Baxter's new attitude surprisingly quickened the Supreme Court's sense of jurisdiction. Two of its judges were kidnapped, but escaped, and four days before the Legislature convened, four of the five, though "feeling some delicacy" in doing so, reversed the former denial of jurisdiction, and on May 7, 1874, affirmed the decision of the Circuit Court in Brooks's favor.

The Legislature provided for a Constitutional Convention to convene on July 14, 1874, an action overwhelmingly indorsed by the people at the next election. The new Constitution, ratified 78,000 to 24,000 in October, swept the Governor's enormous patronage away, as also his power to declare martial law and to suspend *habeas corpus*. The tax-levying

* House Committee Reports, 1st Session 43d Congress, Vol. V, Report No. 771, p. 149; Testimony of ex-Circuit Judge Liberty Bartlett.

and debt-contracting functions of the Legislature were strictly hedged about. The number of offices was to be diminished and all were to be elective. Disfranchisements were abolished. The most important of all the changes related to the Returning Board. The old Constitution had vested in this body extraordinary authority, like that given it by statute in Florida, South Carolina, and Louisiana. It designated three officers who were to receive all election returns, compile and count them, reject fraudulent and illegal votes, and in case of irregularities in the election, occasioned by fraud or fear in any county or precinct, to correct the return or to reject it and order a new election. The judicial part of this fearful sovereignty was now annulled.

The State Democracy indorsed these changes as "just, liberal, and wise," and offered Baxter the nomination for Governor, which he refused. The opposition cried out that the State was betrayed into the hands of the Ku-Klux and White Leagues, that Brooks was the true Governor, and that the new Constitution was revolutionary and void. They made no nominations under it, so that at the election Garland, the Democratic nominee, was elected by a majority of 75,000 votes.

Early in 1875 the Poland Committee submitted to the House its report upon the Arkansas imbroglio. It stated that the new Arkansas Constitution was Republican in form and recommended non-interference, saying that while negro citizenship was not relished by the Southern people, few, except certain lawless youths, who should be sternly dealt with, would do aught to disturb it. A minority report was signed by Jasper D. Ward, of Illinois, who had gone to Little Rock in company with Dorsey, and had during his entire stay remained at Dorsey's house, where he met few but Brooksites. The President took issue with the Poland Committee. In a special message, two days after its report, he expressed the opinion that Brooks was the legal Governor of Arkansas and the new Constitution revolutionary. Spite of this, however, the House adopted the Poland report, thus, in effect, ending

the long broil and suspense. Governor Garland at once proclaimed Thursday, March 25, 1875, a day of thanksgiving.

Before light one morning in the winter of 1874-75, the white citizens of Vicksburg, Miss., were roused by the news that armed negroes were approaching the city. They sprang to arms and organized. Just outside the city limits a detachment of whites met a body of two hundred negroes and soon put them to rout, killing six, wounding several, and taking some prisoners. Almost at the same time a similar engagement was in progress near the monument where Pemberton surrendered to Grant in 1863. The man who headed the citizens said that the conflict lasted only a few minutes. The negroes fled in wild disorder, leaving behind twenty killed and wounded. At still other points negro bands were charged upon and routed. Three whites were killed and three wounded, while of the colored about seventy-five were killed and wounded and thirty or forty made prisoners. By noon the war was over, and on the following day business was resumed amid quiet and order.

The causes of this bloody affair were differently recited. An address published by the citizens of Vicksburg a few days later alleged a series of frauds by certain colored county officials. Some of these had been indicted by a grand jury composed of ten colored and seven white men. Among the accused was George W. Davenport, Clerk of the Court of Chancery and a member of the Board of Supervisors. The citizens further declared that the bonds of Sheriff and Tax Collector Crosby were worthless, and also that he had made away with incriminating records to save comrades of his who were under indictment. A mass-meeting was held, and the accused officials asked to resign. Davenport fled the county; Crosby yielded. Soon, however, by an inflammatory handbill, over Crosby's name, in which the "Taxpayers" were named a mob of ruffians, barbarians and political banditti, the colored people of the county were called upon to support him. It was rumored that a rising of blacks was imminent, though Crosby had disowned the pamphlet and promised to bid his

adherents disperse. Governor Ames proclaimed a state of riot and disorder, and invoked the aid of all citizens in upholding the laws. Upon receipt of the Governor's proclamation the Mayor of Vicksburg issued a counter-manifesto asserting that the mass-meeting, which the Governor had denounced as riotous and as having driven the sheriff from his office, was a quiet and orderly gathering of taxpayers who, without arms or violence, had "requested the resignation of irresponsible officials." His Honor continued: "Whereas the Governor's proclamation has excited the citizens of the county, and I have this moment received information that armed bodies of colored men have organized and are now marching on the city, I command such unlawful assemblages and armed bodies of men to disperse."

Spite of his Honor's denial, Governor Ames ascribed the trouble to violence and intimidation against blacks by whites, constituting a reign of terror, and convened the Legislature in extra session. This body called upon President Grant to awaken what Sumner called "the sleeping giant of the Constitution" and protect the State against domestic violence. Grant was reluctant to interpose. In his annual message hardly a fortnight before he had said: "The whole subject of Executive interference with the affairs of a State is repugnant to public opinion." "Unless most clearly on the side of law such interference becomes a crime." He therefore merely issued a proclamation commanding all disorderly bands in Mississippi to disperse. But breaches of the peace continued. At a public meeting in Yazoo City one man was killed and three or four wounded. The speaker of the evening, a Republican office-holder, left the county, professing to believe his life in danger. In Clinton, three days later, at a Republican barbecue, where there was a discussion between a Republican and a Democrat, a personal quarrel sprang up, during which two negroes were shot. This was the signal for a general attack by blacks upon whites, in the course of which three white men were killed and several wounded. Later in the night seven or eight negroes were killed, when the armed

men dispersed and quiet was restored. Another outbreak at Friar's Point, a month afterward, was clearly incited by a colored sheriff, who had called together a body of armed negroes to support him in the County Convention.

Ames now renewed his petition for United States troops, but met with a chilling response from the new Attorney-General, Edwards Pierrepont, a Democrat till Seymour's nomination, thereafter a conservative Republican. He declared that the General Government could aid Mississippi only when all the resources of the State Executive had been exhausted. He accompanied this utterance with words from Grant's despatches: "The whole public are tired out with these annual autumnal outbreaks in the South, and the great majority now are ready to condemn any interference on the part of the Government." Failing to secure assistance from Washington, Governor Ames's party finally made an arrangement with the Conservatives, which assured a peaceable election.

This resulted in Republican defeat, whereupon Mr. Revels, the colored Senator from Mississippi, wrote to the President the following: "Since reconstruction the masses of people have been, as it were, enslaved in mind by unprincipled adventurers. A great portion of them have learned that they were being used as mere tools, and determined, by casting their ballots against these unprincipled adventurers, to overthrow them. The bitterness and hate created by the late civil strife have, in my opinion, been obliterated in this State, except, perhaps, in some localities, and would have long since been entirely effaced were it not for some unprincipled men who would keep alive the bitterness of the past and inculcate a hatred between the races in order that they may aggrandize themselves by office and its emoluments to control my people, the effect of which is to degrade them. If the State administration had advanced patriotic measures, appointed only honest and competent men to office, and sought to restore confidence between the races, bloodshed would have been unknown, peace would have prevailed, Federal interference been unthought of, and harmony, friendship, and mutual con-

fidence would have taken the place of the bayonet." This "Yea, yea," as it was called, "of a colored brother who never said nay," was corroborated by testimony from other prominent Republicans, white and black.

On the other hand, it was warmly urged that, as a class, the Northern men in Mississippi were noble ex-soldiers, possessing virtues equal to those of their old associates, worthy sons of the fathers who founded this Republic, and that they went to Mississippi with the same commendable motives under which their kinsmen have populated the continent from ocean to ocean—to establish homes and to improve society—taking all their capital and urging others to follow them.

"The Southern man had a motive in slandering the reconstructionists. He committed crimes upon crimes to prevent the political equality of the negro, and found his justification, before the world, in the conduct of those who were obeying the laws of the land. The debts of South Carolina were made to do duty in Mississippi, where there were no debts. In fact violence began at once, before there was time to contract debts in any of the States.

"At first there was no political question. At first the enmity of a conquered people did not manifest itself. It was left for the Union soldiers practically to solve the problem of reconstruction put upon them by a Union Congress—a Congress whose laws they had always obeyed and the wisdom of whose decisions it never occurred to them to doubt. Their only offence against the State of Mississippi was an honest effort to obey the laws of the United States. They incorporated into the organic laws of the State, to its great benefit, some of the best features found in the Constitutions of Northern States. They especially sought to build up or rehabilitate educational and eleemosynary institutions. They would have liked to help by legislation the material condition of the State in its railroads and levees, but wiser counsels prevailed and the errors of other reconstructed States were avoided.

"The offence of the Northern soldier was in reconstructing at all—in giving (under the law) the negro the ballot. Po-

litical equality for the negro meant, to the whites, negro supremacy. Physical resistance followed. The few Union soldiers and their allies in Mississippi soon fell before the Mississippians and their reinforcements from Louisiana and Alabama.”¹

Whatever the faults of Republican administration in the State, the only serious assault on the finances of Mississippi during the stormy era of reconstruction was an effort to repay some of the millions which Mississippi had repudiated years before. But this effort was not made by Union soldiers or by Southern unionists, or by freedmen, but by an old Confederate; and the scheme was defeated by a carpet-bagger official. It is well known that while Governor of Mississippi General Ames saved that State in the case of the Confederate General Tucker's railroad about one million dollars, and in the case of the Vicksburg and Ship Island road some seven or eight hundred thousand dollars more. But for General Ames's timely antagonism and the use of counsel to resist the diversion of the State's funds, the State would have lost largely over a million dollars. The intelligent people of Mississippi to this day appreciate Governor Ames's action in this matter.

In Louisiana, because of the peculiarity of its social structure, the color-line was drawn even more sharply than in South Carolina. In South Carolina there were three distinct castes of whites—the aristocracy, the *bourgeoisie*, and the poor whites or “sand-hillers,” while the Louisiana white people were a thorough democracy, the only caste division in the State being founded on color. The best families used no coats-of-arms; their coachmen and servants wore no livery. The splendors attending vulgar wealth were eschewed. “There was a nobility in the white skin more sacred and more respected than the one derived from the letters-patent of kings.” Such solidarity among the whites rendered the feud precipitated by the negro's enfranchisement peculiarly bitter. White and black children no longer played together as of yore. To

* Ex-Governor Adelbert Ames.

avoid seeming inferiority colored servants refused to sleep under the same roofs with their old masters.

It will be remembered that in November, 1872, Kellogg and McEnery each claimed to be elected Governor of Louisiana, that President Grant recognized Kellogg, but that McEnery and his supporters energetically protested. This contest had never been quieted. McEnery's government retained its organization though deprived of all power. Near the close of August, 1874, the troubles grew menacing. The two parties had met in convention, when the country was startled by the news of the arrest and deliberate shooting of six Republican officials. As in all such cases the reports were conflicting, one side declaring it a merciless war of whites upon blacks, the other an uprising of the blacks themselves.

The wealth of Louisiana made the State a special temptation to carpet-baggers. Between 1866 and 1872 taxes had risen five hundred per cent. Before the war a session of the Legislature cost from \$100,000 to \$200,000; in 1871 the regular session cost between \$800,000 and \$900,000. Judge Black considered it "safe to say that a general conflagration, sweeping over all the State from one end to the other and destroying every building and every article of personal property, would have been a visitation of mercy in comparison to the curse of such a government." This statement is not extravagant if his other assertion is correct, that, during the ten years preceding 1876 New Orleans paid, in the form of direct taxes, more than the estimated value of all the property within her limits in the year named, and still had a debt of equal amount unpaid.

Kellogg had a body of Metropolitan Police, mostly colored, paid for by the city of New Orleans but under his personal command, which formed a part of his militia. Over against this was the New Orleans White League, which again is to be distinguished from the White League of the State. On September 14th a mass-meeting was called in New Orleans to protest against the Governor's seizure of arms shipped to private parties. By 11 A.M. the broad sidewalks were filled

for several squares, and there was a general suspension of business. A committee was appointed to wait upon the Governor and request him to abdicate. He had fled from the Executive Office to the Custom-house, a great citadel, garrisoned at that time by United States troops. From his retreat he sent word declining to entertain any communication. Their leaders advised the people to get arms and return to assist the White League in executing plans that would be arranged. A large number formed in procession and marched up Poydras Street. By 3 P.M. armed men were posted at street-crossings south of Canal Street. Soon a strong position was taken in Poydras Street, the streets between Poydras and Canal being barricaded with cars turned sidewise. General Ogden commanded the citizens and superintended these arrangements. Five hundred Metropolitans, with cavalry and artillery, took their station at the head of Canal Street, while General Longstreet, their leader, rode up and down Canal Street calling upon the armed citizens to disperse. About 4 P.M. the Metropolitans assaulted the citizens' position. A sharp fight ensued. General Ogden's horse was shot under him, as was General Badger's, on the Kellogg side. The colored Metropolitans broke at the first fire, deserting their white comrades. The citizens' victory was soon complete, General Longstreet and others seeking refuge in the Custom-house. Next morning, at seven, the State-house was in the citizens' hands; two hours later the whole Metropolitan force surrendered. The barricades were torn down and street-cars resumed their trips.

Lieutenant-Governor Penn hastened to assure the blacks that no harm was meant toward them, their property, or their rights. "We war," said he, "only against the thieves, plunderers, and spoilers of the State." All the morning Penn's residence was filled with congratulatory crowds. Throughout Louisiana the *coup d'état* roused delirious enthusiasm. At the same time leading citizens counseled moderation, especially urging that no violence toward colored people should be permitted. Penn, in a speech, said: "If you have any af-

fection for me, if you have any regard for me, if you have any respect for me, as I believe you have, for God's sake and my sake do nothing to tarnish the fair fame of the State of Louisiana or to diminish the victory you have achieved." The Mayor's proclamation ran: "Let me advise extreme moderation; resume your vocations as soon as dismissed. Seek no revenge for past injuries, but leave your fallen enemies to the torture of their own consciences and to the lasting infamy which their acts have wrought for them." No deeds of violence were reported, though McEnery's officials were installed all over the State. About 2 P.M., as three thousand of General Ogden's militia marched past the Custom-house, the United States troops gathered in the windows, took off their hats and gave the citizens three hearty cheers, which were returned. At 3 P.M. ten thousand unarmed citizens, preceded by a band of music, escorted Penn to the State-house.

The triumph was short-lived. The resort to arms displeased President Grant. He commanded the insurgents to disperse in five days—half the time he had allowed in Arkansas and one-fourth the time he had allowed in his Louisiana proclamation of 1873. Troops and men-of-war were ordered to New Orleans, and General Emory was instructed under no circumstances to recognize the Penn government. A Cabinet meeting concluded that "it was important to adopt measures for maintaining, if not the *de jure*, at least the *de facto* government in Louisiana." Attorney-General Williams compared the case with that of Arkansas, where, he confessed, he always believed Brooks had a majority, but said: "The question is not who ought to be Governor, but who is." Emory received positive directions to recognize the Kellogg government, and on the next day Kellogg was induced to venture from his asylum and resume his office. Not all the McEnery officials were turned out, as several of the Kellogg placemen had fled upon the news of Penn's success and could not be found. The new city police, under Mr. Boylan, a well-known detective, were retained, owing to the demoralization of the Metropoli-

tans. For a time United States soldiers were employed on police duty. On an election day as much as six weeks later, to remove apprehension caused by the inefficiency of the Metropolitans, a detail of the McEnery militia was made to preserve the peace at each polling-place.

McEnery and Penn advised cheerful submission, and while surrendering the State-house to Colonel Brooks showed him every courtesy. The only excess reported was an unsuccessful attack by negroes upon Bayou Sara. In answer to Attorney-General Williams's pronunciamiento Penn asserted that the McEnery government had been organized ever since 1872; that McEnery's armed supporters were not insurgents, but militia; that the sole reason why the McEnery government was not *de facto* in function in the whole State was that it was overpowered by the United States forces, but for which it could assert its authority and would be universally obeyed. The Kellogg government, he said, could be placed and kept in power by the United States army, but in no other way whatever. "Is this," he asked, "the republican form of government guaranteed to every State under the Constitution?"

Happily the army had no command to repress free speech, which was usefully employed in appeals to the country. Some of these papers were written with unusual clearness and force. Besides describing anew the corruptions already alluded to, they accused the Kellogg faction of altering the registration laws in its own interest. "Many white citizens clearly entitled to registry were refused arbitrarily, while the colored people were furnished registration papers on which, in many instances, they could vote in different wards; and colored crews of steamboats transiently visiting this port were permitted to swell the number of voters." The White League, which, outside New Orleans, seems not to have been an armed body, was declared a necessary measure of defence against a formidable oath-bound order of blacks.

Governor Kellogg sought to explain the uprising. He said: "They first want the offices, and that is the meaning

of this outburst. The Governor of Louisiana wields an enormous amount of patronage, for which McEnery and his friends hunger." However, at his instance an Advisory Board, consisting of two men from each party and an umpire chosen by them, was arranged to supervise and carry on the registration for the next election. Though perhaps honestly conceived, this plan amounted to little. About the middle of October the umpire resigned, and the functions of the Board virtually came to an end. Further, the Conservatives were to cause all violence to cease, and were permitted to fill two vacancies on the Returning Board created by resignation for this purpose.

The election of November, 1874, was quiet. Indications seemed to point to Democratic success. A break in the colored vote was foreshadowed, among other things, by an address of leading colored men in New Orleans, setting forth that the Republican party in the State had, since reconstruction, been managed and controlled by men in all respects as bad as "the most rampant White Leaguer," that they had shut out the colored wealth and intelligence and put in office "illiterate and unworthy colored men." The colored people, it said, "are ready to adopt any honorable adjustment tending to harmonize the races," to further law and order and a higher standard of administration in public offices.

Of course the Returning Board played an important part in this election. One example will illustrate its methods. The parish of Rapides chose three legislators. The United States Supervisor certified that the election was in all respects full, fair, and free. In the parish itself no one knew that any contest existed. At one of its last sittings the Board, upon an affidavit of its President, Wells, alleging intimidation, counted in all three Republicans. This, like other acts of the kind, was done in secret or "executive" session. The Counsel of the Democratic Committee declared that they had no chance to answer. It came out that Wells was not present at Rapides, and he declined, though given the opportunity, to explain to the Congressional Committee his action. The Rap-

ides change alone sufficed to determine the complexion of the Lower House.

After recounting instances of illegal action and fraud on the part of the Returning Board, the Inspecting Committee appealed to the nation: "We, the downtrodden people of once free Louisiana, now call upon the people of the free States of America, if you would yourselves remain free and retain the right of self-government, to demand in tones that can not be misunderstood or disregarded, that the shackles be stricken from Louisiana, and that the power of the United States army may no longer be used to keep a horde of adventurers in power."

Toward the end of 1874, the Returning Board completed its labors. It gave the treasury to the Republicans, and allowed them a majority of two in the Legislature, five seats being left open. These changes from the face of the returns were made on the ground of alleged fraud, intimidation, or other irregularity at the polls, or in making the returns. The Board dismissed as preposterous all complaints of intimidation by United States soldiery, though at least one case is reported of a Federal officer making out affidavits against citizens, and arresting them upon these affidavits. He was stopped later by orders from his superior.

The Congressional Investigating Committee, composed of two Republicans and one Democrat, after citing three or four instances of fraud on the part of the Returning Board, unanimously found itself "constrained to declare that the action of the Returning Board on the whole was arbitrary, unjust, and illegal; and that this arbitrary, unjust, and illegal action alone prevented the return of a majority of the Conservative members to the Lower House."

A few days before the assembling of the Legislature one of the Republican members was arrested and confined till after the opening. The Conservatives alleged that this was for embezzlement; the Republicans charged that it was for political purposes, and that their opponents were attempting to kidnap and even threatening to assassinate Republican leg-

islators to wipe out the majority. So threatening an aspect of affairs induced Grant to give Sheridan command of the Military Department of the Gulf in addition to his own. Sheridan started on telegraphic notice.

The Legislature convened on January 4th. Suppressed excitement could be seen in every eye. Of the memorable and unprecedented events of this day there are four varying accounts—General Sheridan's statement, two reports to Congress by committees of the two political parties in the Louisiana House of Representatives, and a recital incorporated in the Congressional Committee's report above referred to. The last, of which we give a *résumé*, is the most trustworthy.

The State-house was filled and surrounded by Metropolitans and Federal soldiers, and no one permitted to enter save by Governor Kellogg's orders. At noon the clerk of the preceding House, Mr. Vigers, called the Assembly to order and proceeded to call the roll. Fifty Democrats and fifty-two Republicans answered to their names. Instantly a Conservative member, Mr. Billieu, nominated L. A. Wiltz as temporary chairman. The clerk interposed some objection, but Mr. Billieu, disregarding him, hurriedly put the motion and declared it carried upon a *viva voce* vote. Wiltz sprang to the platform, pushed the clerk aside, and seized the gavel. Justice Houston then swore in the members *en bloc*. In the same hurried fashion a new clerk was elected, also a sergeant-at-arms; then, from among gentlemen who had secured entrance under one pretext or another, a number of assistant sergeants-at-arms were appointed. These gentlemen at once opened their coats and discovered each his badge bearing the words "Assistant Sergeant-at-Arms." Protests, points of order, calls for the yeas and nays, were overridden. The five contesting Democrats were admitted and sworn in. The Republicans now adopted their opponents' tactics. Some one nominated Mr. Lowell for temporary chairman, and amid great confusion declared him elected, but he declined to serve. The organization of the House was completed by the election

U. S. Vol. 8—7

of Wiltz as Speaker. Several Republican members attempting to leave were prevented by the assistant sergeants-at-arms. Pistols were displayed, and the disorder grew so great that the House requested Colonel de Trobriand, commanding the forces at the State-house, to insist upon order in the lobby. This he did, and the House proceeded with the election of minor officers, uninterrupted for an hour. At length de Trobriand received word from Governor Kellogg, which his general orders bound him to obey, to remove the five members sworn in who had not been returned by the Board. Speaker Wiltz refusing to point them out, General Campbell did so, and in spite of protest they were removed by Federal soldiers. Wiltz then left the hall at the head of the Conservative members. The Republicans, remaining, organized to suit themselves.

General Sheridan reported the matter somewhat differently. He reached Louisiana in no judicial frame of mind. Conservative chagrin and humiliation often took form in foolish threats, which were at once seized upon by the carpet-baggers and scalawags to fan his wrath. The very air seemed to him impregnated with assassination. He suggested that Congress or the President should declare the "ringleaders of the armed White Leagues" banditti; he could then try them by military commission and put an end to such scenes as had occurred. The New Orleans Cotton Exchange, a meeting of Northern and Western residents of New Orleans, and other bodies passed resolutions denying the correctness of Sheridan's impressions. In an appeal to the American people a number of New Orleans clergymen condemned the charges lodged by Sheridan with the Secretary of War as "unmerited, unfounded, and erroneous." General Sheridan reiterated them, and accused Bishop Wilmer, one of the signers of the appeal, of having admitted before the Congressional Committee "that the condition of affairs was substantially as bad as reported." The Bishop agreed that Louisianians were more prone than others to acts of violence, saying "there is a feeling of inse-

curity here," an expression which he interpreted as meaning, "no security in the courts against theft."

General Sherman commented on the case as follows: "I have all along tried to save our officers and soldiers from the dirty work imposed on them by the city authorities of the South; and may thereby have incurred the suspicion of the President that I did not cordially sustain his forces. . . I have always thought it wrong to bolster up weak State governments by our troops. We should keep the peace always; but not act as bailiff constables and catch-thieves; that should be beneath a soldier's vocation. I know that our soldiers hate that kind of duty terribly, and not one of those officers but would prefer to go to the plains against the Indians, rather than encounter a street mob or serve a civil process. But in our government it is too hard to stand up in the face of what is apparent, that the present government of Louisiana is not the choice of the people, though in strict technical law it is the State government."

Public opinion at the North sided with the appellants. The press gave a cry of alarm at such military interference in civil affairs. A stanch Republican sheet uttered the sentiment of many when it said, "Unless the Republican party is content to be swept out of existence by the storm of indignant protest arising against the wrongs of Louisiana from all portions of the country, it will see that this most shameful outrage is redressed wholly and at once." Numerous indignation meetings were held in Northern cities. Republicans like William Cullen Bryant, William M. Evarts, Joseph R. Hawley, and Carl Schurz openly condemned the use which had been made of the troops. Legislatures passed resolutions denouncing it, and it was understood that Fish, Bristow and Jewell, of the Cabinet, disapproved. Yet patience was urged upon the people of Louisiana. "Whatever injustice," said Carl Schurz, "you may have to suffer, let not a hand of yours be lifted, let no provocation of insolent power, nor any tempting opportunity seduce you into the least demonstration of violence. As your cause is just,

trust to its justice, for surely the time can not be far when every American who truly loves his liberty will recognize the cause of his own rights and liberties in the cause of constitutional government in Louisiana."

Under a resolution introduced by Mr. Thurman the Senate called upon President Grant for explanation. A special message was the response, defending the end which had been had in view but really leaving undefended the means employed. Early in 1875 a second committee, George F. Hoar, Chairman, was appointed to investigate Louisiana affairs. The result of their labors was known as the "Wheeler Adjustment," which embraced on the one hand submission to the Kellogg government, and on the other arbitration by the committee of contested seats in the Legislature. This arbitration seated twelve of the contestants excluded by the Returning Board. Mr. Hahn vacated the Speaker's chair, Mr. Wiltz withdrew as a candidate therefor, and Mr. Estilette, a Conservative, was elected. This settlement marked the beginning of the end of carpet-baggery in Louisiana.

CHAPTER VII

INDIAN WARS AND THE CUSTER DEATH.

Civilized Indians in 1874—Grant's Policy for the Wild Tribes—Difficulties of the Indian Commissioners—Indians' Wrongs and Discontent—Troubles in Arizona—Gov. Safford's Declaration—Massacre of Apaches in 1871—Report of Federal Grand Jury—The Apaches Subdued—Grievances of the Sioux—The Modoc War and Gen. Canby's Death—Troubles in 1874—The Mill River Disaster in Massachusetts—The Sioux Rebellion—The Army's Plan of Campaign—Custer's Part—His Death—How the Battle Went—"Revenge of Rain-in-the-Face"—Custer Criticised—And Defended.

EARNESTLY as President Grant strove to improve the Indian service it was no credit to the nation during his term. In 1874 the Indian Territory contained not far from 90,000 civilized Indians. The Cherokees, 17,000 strong and increasing, who had moved hither from Alabama, Tennessee, and Georgia, now possessed their own written language, constitution, laws, judges, courts, churches, schools, and academies, including three schools for their former negro slaves. They had 500 frame and 3,500 log houses. They yearly raised much live-stock, 3,000,000 bushels of corn, with enormous crops of wheat, potatoes and oats—an agricultural product greater than New Mexico's and Utah's combined. Similarly advanced were the Choctaws, with 17,000 people and forty-eight schools; the Creeks, with 13,000 people and thirty schools; and the Seminoles, General Jackson's old foes, having 2,500 people and four schools.

These facts inspired the President with a desire to improve the wilder tribes. Deeming clemency and justice, with firmness, certain to effect this, he proposed to transfer the Indian bureau to the War Department; but Congress, army officers, and the Indians themselves, opposed. He then gave the supervision of Indian affairs to a Commission made

up from certain religious bodies. This kindly policy being announced, two powerful Indian delegations, one of them headed by Red Cloud, the Sioux chief, visited the Great Father at Washington, evidently determined henceforth to keep the peace.

Few of the wild Indians did this, however. Perhaps only the Apaches, always our most troublesome wards, have ever pursued murder and rapine out of pure wantonness; yet most of the red men still remained savages, ready for the war-path on slight provocation. If the frontier view—no good Indian but a dead one—is severe, many Eastern people were hardly less extreme in the degree of nobility with which their imagination invested the aborigines. Moreover, despite the Commission's exertions, the Indian service, though its cost increased from three and a quarter million in 1866 to nearly seven million in 1874, sank in character. The Commissioners were partly ignored, partly subjected to needless embarrassment in their work. Members of the Indian Ring secured positions and contracts in preference to people recommended by the Commission, and the Interior Department often paid bills expressly disallowed by the Commission, which was charged with the auditing.

Contractors systematically swindled the Indians. Professor Marsh, of Yale University, wishing to engage in scientific research upon Red Cloud's Reservation, that chief while protecting his life, forbade him to trespass till he promised to show the Great Father samples of the wretched rations furnished his tribe. "I thought," naïvely confessed the chief, "that he would throw them away before he got there." But the "man who came to pick up bones" was better than his word. He exhibited the specimens to the President, who was deeply incensed and declared that justice should be done. Marsh drew up ten specific charges, to the effect that the agent was incompetent and guilty of gross frauds, that the number of Indians was overstated to the Department, and that the amount of food and clothing actually furnished them was insufficient and of wretched qual-

ity. Army testimony was of like tenor. "The poor wretches," said one officer, "have been several times this winter on the verge of starvation owing to the rascality of the Indian Ring. They have been compelled to eat dogs, wolves, and ponies." It was urged in excuse that the supply-wagons had been delayed by snow. March 18, 1875, General Sherman wrote from St. Louis: "To-morrow Generals Sheridan and Pope will meet here to discuss the Indian troubles. We could settle them in an hour, but Congress wants the patronage of the Indian bureau, and the bureau wants the appropriations without any of the trouble of the Indians themselves."

The Indians' discontent was intensified by the progressive invasion of their preserves by white men, often as lawless as the worst Indians, and invariably bringing intemperance and licentiousness. Frontiersmen looked jealously at the unimproved acres of the reservations as an Eden which they were forbidden to enter, while a horde of thriftless savages were in idle possession. Violence against the red men seemed justifiable and was frequent.

The first troubles were in Arizona. In 1871 the Legislature of the Territory, seconded by the California Legislature, prayed Congress for protection. Affidavits were submitted declaring that within two years 166 persons had been killed, 801 horses and mules and 2,437 cattle killed or stolen. In November Governor A. P. K. Safford gave out an impassioned letter, of which we reproduce the substance. He said that with natural resources unsurpassed, with gold and silver mines that ought to be yielding annually \$20,000,000, the people of his Territory were in poverty, and had undergone for years scenes of death and torture unparalleled in the settlement of our new countries. Instead of receiving sympathy and encouragement from their countrymen they were denounced as border ruffians, though nowhere were the laws more faithfully obeyed or executed than in Arizona. In but one instance had the people taken the law into their own hands. That, as the facts showed, was done under the

most aggravating circumstances. In the possession of the Indians killed was found property belonging to men and women who had been murdered while the Indians were fed at Camp Grant. For this attack on the red men the whites were indicted by a grand jury, showing that Arizona courts and judges did not screen any. The Territory was out of debt, and was soon to have a free school in every district, indicating the law-abiding character of the population; yet men who were making money at the cost of the lives and property of the Arizona people denounced them as everything bad, and represented the Apache Indians, who had for four hundred years lived by murder and robbery, as paragons of moral excellence. The people of Arizona wanted peace and cared not how it was obtained; but they knew by years of experience that to feed Indians and let them roam over large tracts of land simply placed them in a secure position to raid the settlers and return to their reservations for safety and rest. Though possessing one of the richest Territories, all the Arizonians felt discouraged. At least five hundred had been killed, a large number of these horribly tortured. Those left, after fighting for years to hold the country, found themselves in poverty and looked upon as barbarians. General Crook struck the keynote when he enlisted Indians against Indians. It threw consternation among them such as was never seen before. Had he been allowed to pursue this policy it would have taken but a few months to conquer a lasting peace. But Peace Commissioner Colyer had countermanded the order and millions would have to be expended and hundreds of lives lost before the end could be reached.

The massacre of Indians referred to by Governor Safford occurred in April, 1871. A few hundred Apaches had been gathered at Camp Grant, being fed on condition of keeping the peace, which condition seemed to have been broken. A party of whites with a hundred Papago Indians fell upon the Indian camp, killed eighty-five men and women, and carried away twenty-eight children as prisoners. A Fed-

eral grand jury which found indictments against several of the attacking party reported upon a number of important points. They found that the hostile Indians in the Territory, led by many different chiefs, generally adopted the policy of making the point where the Indians were fed the base of their supplies of ammunition, guns, and recruits for their raids, each hostile chief usually drawing warriors from other bands when he undertook an important raid, whether upon Arizona citizens or upon the neighboring State of Sonora, where they were continually making depredations. With few marked exceptions the habit of drunkenness prevailed among the officers at Camps Grant, Goodwin, and Apache, where the Apache Indians were fed. The rations issued to the Indians at these camps were frequently insufficient for their support; also unjustly distributed. Bones were sometimes issued instead of meat. One United States quartermaster acknowledged that he had made a surplus of twelve thousand pounds of corn in issuing rations to the Indians at Camp Goodwin. An officer commanding at Camp Apache, besides giving liquor to the Apache Indians, got beastly drunk with them from whiskey belonging to the United States Hospital Department. Another United States Army officer gave liquor to Indians at the same camp. United States Army officers at those camps where the Indians were fed habitually used their official position to break the chastity of the Indian women. The regulations of Camp Grant, with the Apache Indians on the reservation, were such that the whole body of Indians might leave the reservation and be gone many days without the knowledge of the commanding officer. In conclusion this United States grand jury reported that five hundred of their neighbors, friends, and fellow-citizens had fallen by the murdering hand of the Apache Indians, clothing in the garb of mourning family circles in many hamlets, towns, and cities of different States. "This blood," they said, "cried from the ground to the American people for justice—justice to all men."

Pacific overtures and presents were made to the Indians

by Peace Commissioner Colyer, but his efforts were unpopular and proved futile. By the severer policy which the whites urged and by pitting friendly Indians against them, the Apaches were at last subdued and kept thenceforth under strict registry and surveillance.

During the autumn of 1874 gold was found in the Black Hills Sioux Reservation, between Wyoming and what is now South Dakota. General Sheridan prohibited exploration, but gold-seekers continually evaded his order. Said Red Cloud: "The people from the States who have gone to the Black Hills are stealing gold, digging it out and taking it away, and I don't see why the Great Father don't bring them back. Our Great Father has a great many soldiers, and I never knew him, when he wanted to stop anything with his soldiers but he succeeded in it." A still worse grievance was the destruction of buffaloes by hunters and excursionists. Thousands of the animals were slaughtered for their hides, which fell in price from three dollars each to a dollar. In one locality were to be counted six or seven thousand putrefying carcasses. Hunters boasted of having killed two thousand head apiece in one season. Railroads ran excursion trains of amateur hunters, who shot their victims from the car windows. The creatures were at last wellnigh exterminated, so that in 1894 buffalo robes cost in New York from \$75 to \$175 each.

Rasped to frenzy in so many ways, tribe after tribe of savages resolutely took up arms. The Klamath Indians and the Modocs, hereditary enemies, were shortly after the Civil War placed upon a common reservation in Oregon. The Modocs, suffering many annoyances from the Klamaths, and indulging in some retaliation, were at last permitted, leaving their uncongenial corral, to roam abroad. Captain Jack headed the seceders, who were believed by many to have been for the most part inoffensive. Among them, however, eight or ten turbulent spirits, led by Curly-headed Doctor, were accused of such depredations that a new superintendent, appearing in 1872, made unfavorable report of the whole

wandering tribe, and recommended what General E. R. S. Canby, commanding the Department of the Columbia, deprecated, a resort to force to bring them back to their reservation. Surprised in camp at gray dawn of November 29, 1872, the chiefs refused to surrender and escaped, leaving eight or nine dead warriors, and killing or wounding about the same number of soldiers, besides three citizen auxiliaries. Curly-headed Doctor's band now went upon the warpath, killing eighteen men, though sparing all women and children. While Captain Jack and his faction had no hand in this, the two chiefs, with about 50 warriors and 175 camp followers, united for defence in the Lava Beds, or "pedregal," of northern California, over which rocks of all shapes and sizes lay where the last ancient volcanic eruption left them, presenting crevices, chasms, and subterranean passages innumerable, with occasional verdant patches of an acre or two. Against these hostiles were sent 400 soldiers and a battery of howitzers. After nearly a month of preparation and skirmishes, on the 17th of January, 1873, 300 soldiers with twenty scouts entered the "pedregal." The stumbling advance exposed not a redskin, but man after man fell as the cracks and crannies of the gray rocks above them kept spitting spiteful puffs of smoke. At night, thirty having been wounded and ten killed, they retreated, and Colonel Wheaton, commanding, asked for 300 more men and four mortars. Meantime the Modocs, by capture or otherwise, secured guns, ammunition, and perhaps some reinforcements.

Now two Peace Commissioners, succeeding each other, endeavored in vain to induce the Indians to remove to a reservation in Arizona or the Indian Territory, far from the persecutions of the Klamaths and from the vengeance of Oregon whites. The eight or ten most desperate Modocs, known as "the murderers," urged the continuance of the war. Lest his tribal kindred should be betrayed to the hangman or some other treachery practiced, Captain Jack wished the soldiers sent away and the Lava Beds made a reservation. Finding that neither of these dangerous boons could be

granted, he began to lend ear to his tempters, who surrounded him as he sat despondent on a rock. Hooker Jim said: "You are like an old squaw; you have never done any fighting. You are not fit to be a chief." In like strain George: "What do you want with a gun? You don't shoot anything with it. You don't go any place or do anything. You are sitting around on the rocks." Scar-faced Charley took up the taunt: "I am going with Hooker Jim. I can fight with him. You are nothing but an old squaw." They decked him with a squaw's dress and bonnet and further jeered him. Thus stirred, the savage in Captain Jack triumphed. He turned on them and cried: "I will show you that I am no squaw. We will have war, and Keint-poos will not be the one to ask for peace." It is recorded of Captain Jack that subsequently, with Scar-faced Charley, he all night watched over a white emissary, an old-time friend of the tribe, to prevent his murder by the Indians. Upon returning he assured the Commissioners that the Modocs meant treachery. The interpreter's squaw wife, Toby, also warned them, being herself told by Modoc "Whim" to keep away and to keep the Commissioners away. A parley appointed for April 8th fell through because of the timely discovery of an Indian ambush. Nevertheless, when Bogus Charley came and proposed at the council tent near the edge of the "pedregal" an unarmed conference of the Commissioners and General Canby with an equal number of Modocs, saying that after this they would surrender, General Canby and Dr. Thomas, of the Commission, thought that the importance of the object justified the risk. The scout Riddle, as well as Meacham and Dyar, the other Peace Commissioners, urged that it was a hazardous enterprise, but all three said they would go rather than be chargeable with cowardice. Before starting, Meacham and Dyar provided themselves with pocket pistols, gave up their valuables to a friend, and indicated their last wishes.

The embassy took seats on stones around a small fire of brush. Only Dr. Thomas reclined on the ground. Captain

Jack made a speech. As he closed, Hooker Jim took Meacham's overcoat and put it on, insolently remarking, "I am Meacham." Meacham said: "Take my hat, too." "I will, presently," was the response, in Modoc. Perceiving that treachery was contemplated, General Canby told how he had earned the name of "the Indian's friend," expressing hope that the Modocs, as others had done, would some day thank him for getting them happy homes. He could not send away the Great Father's soldiers, but what the Commissioners promised should be done, and the citizens should not interfere. Dr. Thomas, too, rising to his knees, with head uncovered and with his hand on Meacham's shoulder, said: "I believe the Great Spirit put it into the heart of the President to send us here to make peace. I have known General Canby fourteen years, Mr. Meacham eighteen years, and Mr. Dyar four years. I know their hearts are good, and I know my own heart. We want no more war. I believe that God sees what we do; that he wishes us all to be at peace; that no more blood should be shed." Captain Jack said he did not wish to leave that country for a strange one. "Jack," said Meacham, "let us talk like men and not like children. You are a man that has common-sense; isn't there any other place that will do you except Willow Creek and Cottonwood?" Here, while Jack stepped back to the horses, Sconchin broke in: "Give us Hot Creek for a home, and take away your soldiers," repeating, excitedly, "Take away the soldiers and give us Hot Creek, or stop talking." Just then two Indians with three guns apiece came running from their hiding-place not far off. Steamboat Frank and a third brave also soon appeared. "What does this mean, Captain Jack?" said some one. The chief, close to Canby, leveled his revolver, said "*Atwe,*" "all ready," and pressed the trigger. The cap snapped. In an instant he cocked it again and fired. Canby fell, struck under the eye. Boston Charley shot Dr. Thomas in the left breast. He rose and ran, but Bogus Charley finished the work with a rifle ball. Sconchin missed Meacham, who ran, drew his pistol and fired back, but soon

fell senseless with a bullet in his head. General Canby recovered his footing and sought to flee. Ellen's Man brought him to the earth, while Jack despatched him with a stab in the neck. Pressed by Hooker Jim, Dyar faced about with his pistol and the redskin fled. Riddle, the interpreter, hounded by three, managed to escape with a mere scratch. His wire, Toby, was struck down, but her life was spared. As the murderers proceeded to the usual savage consummation of their deed, she cried out: "Soldiers! soldiers!" whereat they fled. By this ruse did the faithful squaw save the bodies from mutilation.

At another place Lieutenants Doyle and Sherwood had just before been attacked under a flag of truce, and Sherwood mortally wounded. The camp force, thus apprised of treachery, hastened, too late, to the scene of Canby's death. Only Riddle and Dyar reached their advancing lines. The stripped bodies of Canby and Thomas were first found. Near by lay Meacham, also stripped, shot under his right eye, in the side of the head, and through the right arm. A temple was grazed, a finger lost, an ear cut, while a long gash gaped where Boston Charley had begun to scalp his victim. Meacham still breathed, however, and, after the bullets had been extracted, rapidly recovered.

Attack upon the Indians was now begun in earnest, and their stronghold shelled, but in vain. Not till early summer, when the "murderers" had rebelled and both factions left the lava beds, Jack making for the coveted Willow Creek, seeking, perhaps, a union with disaffected Shoshones, did General Jefferson C. Davis, who took Canby's place, scatter and capture the bloody pack. The Modocs lost a few warriors, besides women and children. Of citizens and the military and Indian allies, sixty-five were killed, sixty-three wounded. The war cost half a million dollars. Captain Jack, Sconchin, Black Jim, Boston Charley, One-Eyed Jim, and Slolox were tried by a military commission for murder. The first four were hanged, the other two imprisoned for life on Alcatraz Island, San Francisco Harbor.

The above account of the Modoc War is substantially that of those inclined to lay the main guilt of the uprising to the whites and to think well of the Indians. What may in a sense be called the Oregon view differs from it in certain more or less important particulars, mainly (1) in ascribing the provocation to war to the Modocs rather than to the Klamaths or the whites, and to the whole of Jack's band rather than to a turbulent part of it; (2) in setting down as foolish the efforts of peace men to deal with savages, considering these as, practically without exception, heartless and treacherous.

The Cheyennes and allied tribes, in reprisal for the loss of their buffaloes, made many cattle raids. In 1874, the settlers retaliated, but were soon flying from their farms in panic. The Indians, as the papers had it, were at once "handed over to the secular arm," the army being set to deal with them instead of the Peace Commission. Resistance was brief, entirely collapsing, when at one stroke sixty-nine warriors and two thousand ponies were captured on Elk Creek. In 1874, a massacre by the Sioux was barely averted. The agent at the Red Cloud agency erected a staff, and, on Sunday, unfurled the national flag "to let the Indians know what day it was." Viewing the emblem as meaning hostility, the Sioux beleaguered the agency, and, but for Sitting Bull, would have massacred all the whites there as well as the handful of soldiers sent to their rescue.

While the catastrophes just narrated were occurring, a worse horror withdrew public attention for a moment from the Indian hostilities at the remote West to a far Eastern locality over which King Philip's own braves had ranged in the first great Indian war of American history.

On May 16, 1874, the rupture of a reservoir dam in the town of Williamsburg, Mass., caused a disastrous flood, costing 140 lives and the loss of \$1,500,000 in property. The basin which collapsed was 300 feet above the level of Williamsburg village, and from three to four miles further up Mill River. It covered 109 acres to a depth averaging 24

feet, its 650,000,000 gallons of water forming a reserve supply for the factories of Williamsburg, Skinnerville, Haydenville, Leeds, and Florence. The gatekeeper, one George Cheney, made the tour of the premises as usual, early on the fatal morning, but discovered nothing out of order. He went home to breakfast. The meal was just ending when Cheney's father, happening to glance through a window, exclaimed: "For God's sake, George, look there!" A vast block, fifty feet long, was shooting out from the bottom of the dam. Cheney was an old soldier and had presence of mind. Rushing to the gate he opened it to its full width, hoping thus to relieve the pressure at the break. He then made for the barn. Bridling his horse while his father cut him a stick, he mounted, just as the whole dam gave way, and dashed headlong down the valley, warning the population below. He covered the distance to Spellman's button factory, three miles away, in fifteen minutes, the thundering avalanche of waters close behind.

It was about half after seven when the brave herald reached Spellman's, himself spent with excitement and shouting, his horse worsted in the unequal race. D. Collins Graves, a milkman, here took up the news. Saying, "If the dam is breaking the folks must know it," he lashed his horse at a breakneck pace to Haydenville, shouting: "The reservoir is right here! Run! It's all you can do!" Spellman's factory, the first building to test the torrent's power, was tossed from its base and dashed in pieces like a child's block-house. The help, heeding Cheney's warning, sped to the hills—too late, for many were caught and borne down to death. The Skinnerville silk operatives had just begun the day's work. When the warning reached them the superintendent was incredulous, and only the roar of the waters, drowning the courier's cry, wrung from him the order to quit. All hands dashed toward the high land, and but three were lost. Of these one had hurried home to save his family, arriving just in time to perish with them. Many other families were hurried to death together, amid noble efforts of

the strong to save the weak, whose groans and cries formed an agonizing appeal for aid. The loss of life must have been far greater but for Cheney's and Graves's brave riding.

Many hair-breadth escapes occurred, accounts of which, related afterward, sounded like miracle stories. One man sailed half a mile on the very crest of the deluge, borne upon a raft of *débris*, saving himself at last by grasping a limb of one of the few trees stout enough to stem the flood. Large parts of Williamsburg and Skinnerville, including several mills and factories, were laid in hopeless ruin. The great brass works at Haydenville were totally demolished. A couple of mill-stones, weighing a ton each, were wafted a distance of half a mile. Almost the entire village of Leeds was destroyed. Much damage was done so far down as Florence, where vast fertile tracks were covered beneath feet of sand.

Relief work for the hundreds left homeless and destitute was at once begun and nobly prosecuted. Supplies came from nearly all parts of Massachusetts and from other States. The Massachusetts Legislature was in session and instituted a competent and searching investigation of the accident. Public sorrow turned to public indignation when the calamity was discovered to be due entirely to culpable negligence on the part of those originating, planning, constructing, and approving the reservoir. The wall of the dam was too weak. It was built mainly of irregular instead of cut stone. Save at the middle, where it was re-enforced by about a foot, it was not over $5\frac{1}{2}$ feet thick. Also the earth above the stone was not properly placed or rammed.

In 1875, there was pretence of investigating affairs at the Red Cloud post, but with scant result. Much of the testimony was by casual observers or interested parties, and none of it under oath. The Indians did not testify freely, and contradicted each other; Sitting Bull told one story, Red Cloud another. What became clear was that, in Red Cloud's phrase, the Indians were "succeeding backward."

A large portion of the Sioux, under Sitting Bull, had re-

fused to enter into a treaty surrendering certain lands and consenting to confine themselves within a new reservation. Notice was served upon these non-treaty Sioux that, unless they moved to the reservation before January 1, 1876, they would be treated as hostiles. Sitting Bull refused to stir, and early in the spring the army assumed the offensive. The chief chose his position with rare skill, in the wild hunting country of southern Montana, now Custer County, near a quarter-circle of agencies, whence would join him next summer a great troop of discontented and ambitious young "Reservation" braves. The Bad Lands around made defence easy and attack most arduous.

It was determined to close upon the hostiles in three columns, General Gibbon from the west, General Crook from the south, and General Terry, with a somewhat larger body of troops, including the Seventh United States Cavalry, six hundred strong, under Lieutenant-Colonel Custer, from the east. Crook was delayed by unexpected attacks. The other two columns met without interference. Terry followed the Yellowstone up as far as the Rosebud, where he established a supply camp. Here Custer with his cavalry left him, June 22d, to make a detour south, up the Rosebud, get above the Indians, and drive them down the Little Big Horn into the army's slowly closing grip. Three days later, June 25th, Custer struck Sitting Bull's main trail, and eagerly pursued it across the divide into the Little Big Horn Valley. Expecting battle, he detached Major Reno, with seven of his twelve companies, to cross the Little Big Horn, descend it, and strike the foe from the west; but Reno was soon attacked and held at bay, being besieged in all more than twenty-four hours. Meantime, suddenly coming upon the lower end of the Indians' immense camp, the gallant Custer and his braves, without an instant's hesitation, advanced into the jaws of death. That death awaited every man was at once evident, but at the awful sensation, the sickening horror attending the realization of that fact, not a soul wavered. Balaklava was pastime to this, for here not one "rode back."

"All that was left of them," after perhaps twenty-five minutes, was so many mostly unrecognizable corpses.

"Two hundred and sixty-two were with Custer, and two hundred and sixty-two died overwhelmed. With the last shot was silence. The report might have been written: 'None wounded; none missing; all dead.' No living tongue of all that heroic band was left to tell the story. The miserable half-breed scout, Curley, who might years later be seen hanging around Fort Custer, claimed to have been with Custer when the engagement began, but he pulled a Sioux blanket over his head, mingled with the enemy, and ran away at the first fire. He could only tell that there had been a battle." "Near the high ground and not far from where the Custer monument was erected, the body of Kellogg, special correspondent of the New York 'Herald,' was found. He was bravely following the gallant Custer. The guide points out the little wooden slab which marks the spot, for he died like a hero, too, in the line of his duty."

After harassing Reno, the Indians slipped off under cover of night. Ascending the Big Horn and the Little Big Horn, Gibbon and Terry, on the 27th, discovered the bodies of Custer and his five devoted companies. Custer alone was not mutilated. He had been shot in the left temple, the remainder of his face wearing in death a natural look. Years subsequently a careful survey of the field and talks with savages enabled Captain Godfrey, who was with Reno on the fatal day, to see what course the Custer fight had taken.

Finding himself outnumbered twelve or more to one—the Indians mustered about 2,500 warriors, besides a caravan of boys and squaws—Custer had dismounted his heroes, who, planting themselves mainly on two hills some way apart, the advance one held by Custer, the other by Captains Keogh and Calhoun, prepared to sell their lives dearly. The redskins say that had Reno maintained the offensive they should have fled, the chiefs having, at the first sight of Custer, ordered camp broken for this purpose. But when Reno drew

back this order was countermanded, and the entire army of the savages was concentrated against the doomed Custer. By waving blankets and uttering their hellish yells, they stampeded many of the cavalry horses, which carried off precious ammunition in their saddle-bags. Lining up just behind a ridge, they would rise quickly, fire at the soldiers, and drop, exposing themselves little, but drawing Custer's fire, so causing additional loss of sorely needed bullets. The whites' ammunition spent, the dismounted savages rose, fired, and whooped like the demons they were; while the mounted ones, lashing their ponies, charged with infinite venom, overwhelming Calhoun and Keogh, and lastly Custer himself. Indian boys then pranced over the fields on ponies, scalping and re-shooting the dead and dying. At the burial many a stark visage wore a look of horror. "Rain-in-the-Face," who mainly inspired and directed the battle on the Indian side, boasted that he cut out and ate Captain Tom Custer's heart. Most believe that he did so. "Rain-in-the-Face" was badly wounded, and used crutches ever after. Brave Sergeant Butler's body was found by itself, lying on a heap of empty cartridge shells which told what he had been about.

Sergeant Mike Madden had a leg mangled while fighting, tiger-like, near Reno, and for his bravery was promoted on the field. He was always over-fond of grog, but long abstinence had now intensified his thirst. He submitted to amputation without anæsthesia. After the operation the surgeon gave him a stiff horn of brandy. Emptying it eagerly and smacking his lips, he said: "M-eh, Doctor, cut off the other leg."

This distressing catastrophe, which whelmed the country in grief many days, called forth Longfellow's poem, "The Revenge of Rain-in-the-Face," ending with the stanza:

Whose was the right and the wrong?
Sing it, O funeral song,
With a voice that is full of tears,
And say that our broken faith
Wrought all this ruin and scathe
In the Year of a Hundred Years.

This poem mistakenly represents "Rain-in-the-Face" as having mutilated General Custer instead of his brother, the Captain. Also it is based on the "ambush" theory of the battle, which at first all shared. We now know, however, that Custer fought in the open, from high ground, not in a ravine. His surprise lay not in finding Indians before him, but in finding them so fatally numerous. Some of General Terry's friends charged Custer with transgressing his orders in fighting as he did. That he was somewhat careless, almost rash, in his preparations to attack can perhaps be maintained, though good authority declares the "battle fought tactically and with intelligence on Custer's part," and calls it unjust "to say that he was reckless or foolish." Bravest of the brave, Custer was always anxious to fight, and, just now in ill favor with President Grant, he was eager to make a record; but that he was guilty of disobedience to his orders is not shown.

It, indeed, came quite directly from General Terry that had Custer lived to return, "he would at once have been put under arrest and court-martialed for disobedience." This might have been the best way to elicit all the facts, and does not prove that even General Terry would have been sure of Custer's conviction.

General Miles, subsequently head of the army, was strongly of the opinion that Custer was not guilty of disobeying any orders. The late General Fry expressed himself with equal emphasis in the same tenor. Colonel R. P. Hughes, however, who was General Terry's chief of staff during the Sioux campaign, sought, in an able article in the "Journal of the Military Service Institution" for January, 1896, to defend the contrary proposition. He adduced many interesting considerations, but seemed to the present writer not at all to justify his view.

Custer's expressed hope to "swing clear" of Terry is worked too hard when made to bear the meaning that he deliberately purposed to disregard Terry's orders. To have a superior at his elbow seemed to him queer and unpleasant;

he liked, especially in fighting Indians, to be trusted. Had he been minded disobediently to meet the Indians without Gibbon, getting a victory and all its glory for himself alone, he would have marched faster during his first days out from the Rosebud mouth. He, in fact, moved but 108 miles in four days.

Much turns on the force of Custer's written orders, which, judged by usual military documents of the kind, certainly gave Custer a much larger liberty than Colonel Hughes supposed. There is an affidavit of a witness who heard Terry's and Custer's last conversation together at the mouth of the Rosebud, just before Custer began his fatal ride. Terry said: "Use your own judgment and do what you think best if you strike the trail; and whatever you do, Custer, hold on to your wounded." Even his written orders gave Custer leave to depart from his written orders if he saw reason for doing so; *i.e.*, if, in his judgment, the end of the campaign could be best attained in that way. Hughes argues that because he, Hughes, can see no reason for any such departure, Custer could have seen none. But how can we know this? Custer, who alone could tell, can not be interrogated; and the purposes and plans that governed his course during his eventful last days men can only surmise.

Hughes's contention, in opposition to General Fry, that Terry had communicated to Custer a perfectly definite plan of campaign, explicitly involving Gibbon's co-operation in the attack, seems still to lack proof; but the observations here made are little dependent on the decision of that point. A remark or two, however. Colonel Hughes, it seems, wishes us to think that Terry all along knew the exceeding strength of the Indian force, accounting it much too numerous for Custer safely to attack alone. Was it not, then, rash and cruel to send Custer out on that far detour, crowding him so well to the south, where, let Gibbon hurry as he might, the savages would have Custer at their mercy! He could not hope to conceal his march very long. "It is folly to suppose that either a small or a large band of Indians would remain

stationary and allow one body of troops to come up on one side of it while another body came up on the other side and engaged it in battle. . . . When Custer's command was ordered to move out as it did it left the Indians, who were acting on interior lines, absolutely free to attack either one of the commands thus separated, or fight them in detail, as might be preferred."

Hughes makes the point that Custer did not report to Gibbon whether he found Indians in Tulloch Creek Valley. General Fry seems justified in calling this a purely formal and immaterial neglect. The valley up and down was completely empty of Indians, and Custer doubtless considered it a needless diminution of his scout force to detach a man to report this. That he did not send word to Gibbon at any later time may seem strange, but he certainly was not commanded to do so.

Hughes charges it as disobedience that Custer did not ride southward when he ascertained that the Indian trail turned toward the Little Big Horn. But his orders did not command him to go southward *the moment he ascertained* the course of the trail, or at any other particular moment. Moreover, what Hughes does not observe, the purpose of veering southward was simply to see that the hostiles did not escape around his left. The configuration of the country, as Custer saw it, must have assured him that when the hostiles made for the Little Big Horn Valley they gave up all purpose of marching south and were bent upon going down that valley. It would have been foolish for him to have proceeded south after he felt absolutely convinced of the enemy's purpose. He would simply have wasted the strength of his command.

Hughes deems it blameworthy that from the moment when Custer found the trail leading toward the Little Big Horn he quickened his speed. In this he seems to overlook the fact that Custer's discovery may well have led him to fear for Gibbon's command. The redskins had gone to the Little Big Horn on purpose to go down that stream. Custer

could not know how far down it they by this time were, or how far up it Gibbon might possibly have come. Had he not made the best of his way on he would certainly have been censurable. At the same time, it obviously would not do for him when he came upon the foe to wait before attacking to ascertain Gibbon's whereabouts. As General Fry observes, had he hesitated, either he would have been attacked himself, or else his foe would have withdrawn to attack Gibbon or to get away entirely.

Small as was Custer's total force, yet had Reno supported him as had been expected, the fight would have been a victory, the enemy killed, captured, driven down upon Gibbon, or so cut to pieces as never to have reappeared as a formidable force. In either of these cases Custer, living or dead, would have emerged from the campaign with undying glory, and there would have been no thought of a court-martial or of censure.

CHAPTER VIII.

"THE YEAR OF A HUNDRED YEARS"—THE CENTENNIAL EXPOSITION AND THE HAYES-TILDEN IMBROGLIO.

Origin of the Centennial Exposition—Philadelphia Landmarks—The Exposition Buildings—The Opening—The Various Exhibits—Attendance—A Political Crisis—Grant and Jewell—The Belknap Disgrace—Another Reform Movement—Fear of a Third Term for Grant—Issues between the Parties—Hayes and Tilden Nominated—Their Letters of Acceptance—The Campaign—Prophecy of Trouble over the Presidential Count—The Twenty-second Joint Rule—Result of the Election in Doubt—Cipher Despatches—Queer Ways of Returning Boards—Fears and Hopes—The Electoral Commission—The Case of Florida, of Louisiana, of Oregon, of South Carolina—Hayes Declared Elected—An Electoral Count Law.

READERS will rejoice that racial feuds at the South and the West during President Grant's second term did not make up the entire history of these years. Despite those and all its other troubles, the American body politic was about to round the first century of its life in satisfactory and increasing vigor.

What could be more fitting than that the hundredth anniversary of the world's greatest Republic should be kept by a monster celebration? Such a question was publicly raised in 1870 by an association of Philadelphia citizens, and it set the entire nation thinking. At first only a United States celebration was proposed, but reflection developed the idea of a Mammoth Fair where the arts and industries of the whole world should be represented. Congress took up the design in 1871-72. In 1873 President Grant formally proclaimed the Exposition, and in 1874 foreign Governments were invited to participate in it. Thirty-three cordially responded, including all the civilized nations except Greece, a larger number than had ever before taken part in an event like this.

Philadelphia was naturally chosen as the seat of the Exposition. Here the nation was born, a fact of which much remained to testify. Among the ancient buildings were the "Old Swedes' " Church, built in 1700, Christ Church, begun only twenty-seven years later, still in perfect preservation, St. Peter's, built in 1758-61, and the sequestered Friends' Meeting-house, built in 1808. The Penn Treaty Monument, unimpressive in appearance, marked the site of the elm under which Penn made his famous treaty with the Indians. Carpenters' Hall, still owned by the Carpenters' Company which built it, had been made to resume the appearance it bore when, in 1774, the first Continental Congress assembled under its roof. In the centre of a line of antique edifices known as State-house Row, stood Independence Hall, erected 1732-35. The name specifically applied to the large first-floor east room, in which the second Continental Congress adopted the Declaration of Independence. In 1824 Lafayette held a great reception here, and six years later it was consecrated to the past. Revolutionary portraits and relics were placed in it, and the building restored to its original condition. In 1854 the old Liberty Bell was taken down from the tower into the hall and the walls enriched by a large number of portraits from the Peale Gallery. A keeper was then appointed and the hall opened to visitors.

In Fairmount Park, beyond the Schuylkill, a level plat of over 200 acres was inclosed, and appropriate buildings erected. Five enormous structures, the Main Building, with Machinery, Agricultural, Horticultural, and Memorial Halls, towered above all the rest. Several foreign Governments built structures of their own. Twenty-six States did the same. Thirty or more buildings were put up by private enterprise in order the better to present industrial processes and products. In all more than two hundred edifices stood within the inclosure.

The Exposition opened on May 10th, with public exercises, a hundred thousand people being present. Wagner had composed a march for the occasion. Whittier's Centennial

Hymn, a noble piece, was sung by a chorus of one thousand voices.

Our fathers' God! from out whose hand
The centuries fall like grains of sand,
We meet to-day, united, free,
And loyal to our land and Thee,
To thank Thee for the era done,
And trust Thee for the opening one.

Here, where of old, by Thy design,
The fathers spake that word of Thine,
Whose echo is the glad refrain
Of rended bolt and fallen chain,
To grace our festal time, from all
The zones of earth our guests we call.

The restored South chanted the praises of the Union in the words of Sidney Lanier, the Georgia poet. President Grant then declared the Exposition open. Further simple but impressive ceremonies were held on July 4th, in the public square at the rear of Independence Hall. On temporary platforms sat 5,000 distinguished guests, and a chorus of 1,000 singers. The square and the neighboring streets were filled with a dense throng. Richard Henry Lee, grandson of the mover of the Declaration of Independence, came to the front with the original document in his hands. At sight of that yellow and wrinkled paper the vast throng burst into prolonged cheering. Mr. Lee read the Declaration, Bayard Taylor recited an ode, and Hon. William M. Evarts delivered an oration.

In the Main Building, erected in a year, at a cost of \$1,700,000, manufactures were exhibited, also products of the mine, along with innumerable other evidences of scientific and educational progress. More than a third of the space was reserved for the United States, the rest being divided among foreign countries. The products of all climates, tribes, and times were here. Great Britain, France, and Germany exhibited the work of their myriad roaring looms side by side with the wares of the Hawaiian Islands and the little Orange Free State. Here were the furs of Russia, with other articles from the frozen North; there the flashing diamonds

of Brazil, and the rich shawls and waving plumes of India. At a step one passed from old Egypt to the latest born South American republic. Chinese conservatism and Yankee enterprise confronted each other across the aisle.

From the novelty of the foreign display the American visitor turned proudly to the handiwork of his own land. Textiles, arms, tools, musical instruments, watches, carriages, cutlery, books, furniture—a bewildering display of all things useful and ornamental—made him realize as never before the wealth, intelligence, and enterprise of his native country, and the proud station to which she had risen among the nations of the earth. Three-fourths of the space in Machinery Hall was taken up with American machinery.

Memorial Hall, a beautiful permanent building of granite, erected by Pennsylvania and Philadelphia at a cost of \$1,500,000, was given up to art. This was the poorest feature of the Exposition, though the collection was the largest and most notable ever till then seen this side the Atlantic. America had few art works of the first order to show, while foreign nations, with the exception of England, which contributed a noble lot of paintings, including works by Gainsborough and Reynolds, feared to send their choicest products across the sea. All through the summer and early autumn, spite of the unusual heat that year, thousands of pilgrims from all parts of the country and the world filled the fair grounds and the city. Amid the crowds of visitors Philadelphians became strangers in their own streets. On September 28th, Pennsylvania Day, 275,000 persons passed the gates. During October, the visitors numbered over two and a half millions. From May 10th to November 10th, the closing day, the total admissions were 9,900,000. The aggregate attendance was larger than at any previous international exhibition, except that of Paris in 1867. The admissions there reached 10,200,000, but the gates were open fifty-one days longer than in Philadelphia. At Vienna, in 1873, there were but 7,255,000 admissions in 186 days, against 159 days at Philadelphia.

Full of peace and promise as was this Philadelphia pageant, in politics these same months saw the United States at a serious crisis. The best interests of the country seemed to depend on the party in power, yet a large and influential section of that party was in all but open revolt. Many base men to whom honest and enterprising public servants were unwelcome were tolerated near the President. Secretary Bristow's noble fight against the Whiskey Ring, his victory, and his resignation from the Cabinet are described in another chapter. Ex-Governor Marshall Jewell, of Connecticut, was a most efficient Postmaster-General. Upon taking his office he avowed the purpose to conduct it on business principles. He at once began to attack the notorious "straw bids" and other corrupt practices connected with carrying the mails in Texas and Alabama. It was he who introduced the Railway Post-office System, by which the postal matter for a State, instead of first going to the capital or to one or two central cities and being slowly distributed thence, was sent to its destination directly, by the shortest routes and in the most expeditious manner. Yet, in 1876, two years from the time of his appointment, much to the surprise of the public, Jewell left the Cabinet. An office-holder explained that "they didn't care much for Jewell in Washington; why, he ran the Post-Office as though it was a factory!" The ring politicians were a unit against him, and finally succeeded in displacing him. In a speech before the Senate during the impeachment trial of Belknap, Grant's War Secretary, Hon. George F. Hoar declared that he had heard the taunt from friendliest lips that "the only product of the United States' institutions, in which she surpassed all other nations beyond question, was her corruption."

The Sherman Letters threw much light on the Belknap disgrace. July 8, 1871, General Sherman wrote: "My office has been by law stripped of all the influence and prestige it possessed under Grant (as General), and even in matters of discipline and army control I am neglected, overlooked, or snubbed." Later, Sherman wrote: "Belknap has

acted badly by me ever since he reached Washington. General Grant promised me often to arrange and divide our functions, but he never did, but left the Secretary to do all those things of which he himself, as General, had complained to Stanton." "The President and Belknap both gradually withdrew from me all the powers which Grant had exercised in the same office, and Congress capped the climax by repealing that law which required all orders to the army to go through the General." "I have no hesitation in saying that if the Secretary of War has the right to command the army through the Adjutant-General, then my office is a sinecure and should be abolished."

Why the General of the Army had been thus extruded from the authority and functions properly attending his office, was clear when, on February 29, 1876, Caleb P. Marsh, one of a firm of contractors in New York City, testified before a Congressional Committee that, in 1870, Belknap had offered him the control of the post-tradership at Fort Sill, Indian Territory, for the purpose of enabling him to extort from the actual holder of the place, one John S. Evans, \$3,000 four times a year as the price of continuing in it. The Secretary and his family appeared to have received \$24,450 in this way. Belknap's resignation was offered and accepted a few hours before the House passed a unanimous vote to impeach him. Other dubious acts of Belknap's came to light, notably a contract for erecting tombstones in national cemeteries, from which, as was charged, he realized \$90,000. In the fall of 1874, General Sherman actually transferred his headquarters to St. Louis, to remove himself from official contact with Belknap, who was issuing orders and making appointments without Sherman's knowledge. Two years later, after Belknap's resignation, the office of General of the Army was reinvested with the powers which had formerly belonged to it. Then the General moved back to Washington.

Belknap demurred to the Senate's jurisdiction, but on May 29th the Senate affirmed this, 37 to 29, Morton and

Conkling voting nay, Cameron, Edmunds, Morrill, and Sherman aye. Thurman moved the resolution of impeachment. Belknap's counsel refused to let him plead, urging that the vote to assume jurisdiction, not being a two-thirds vote, was equivalent to an acquittal. The Senate, however, proceeded, as on a plea of "not guilty," to try him. He was acquitted, one Democrat voting for acquittal. Morton was among the Republicans who voted for conviction.

After the above recitals one is not surprised that in April, 1876, over the signatures of William Cullen Bryant, Theodore D. Woolsey, Alexander H. Bullock, Horace White, and Carl Schurz, was issued a circular call for a conference of Republicans dissatisfied at the "widespread corruption" with which machine politics had infected our public service. The conference organized about five weeks later, electing Theodore D. Woolsey for president, and for secretaries, among others, Henry Cabot Lodge, Francis A. Walker, and Henry Armitt Brown. A Committee on Business next reported "An Address to the American People," by which the assemblage, after recounting the threatening growth of official corruption hand in hand with the spoils system, invoked all good citizens to join them in a pledge to support no Presidential aspirant not known "to possess the moral courage and sturdy resolution to grapple with abuses which had acquired the strength of established customs, and to this end firmly to resist the pressure even of his party friends."

The New York "Herald" had, in 1874, started a cry that Grant would not be averse to breaking the canon set by Washington against a third Presidential term. Democratic journals took up the alarm, and soon the press all over the land was vocal with denunciations of "Grantism," "Cæsarism," "Third Termism!" So nervous did the din make Republicans, that, in 1875, the Pennsylvania Republican Convention passed a resolution of unalterable "opposition to the election to the Presidency of any person for a third term." Grant had thus far been almost alone in keeping silence, but he at last felt called to express himself. He wrote a letter

to the chairman of the convention. "Now for the third term," said he, "I do not want it any more than I did the first." Yet he remarked that the Constitution did not restrict a President to two terms, and that it might some time be unfortunate to dismiss one so soon. However, he would not accept a nomination unless "under such circumstances as to make it an imperative duty—circumstances not likely to arise." This was too equivocal. The National House of Representatives therefore passed a resolution, 234 to 18, seventy Republicans voting for it:

"That in the opinion of this House, the precedent established by Washington and other Presidents of the United States, after their second term, has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions."

The issues, with a view to which, in 1876, the two great parties constructed their platforms, were mainly three: The "Southern question," specie resumption, and civil service reform. The Republican party indorsed its own civil rights and force legislation, but called for better administration. The Democracy had at last, to use J. Q. Adams's phrase, "sneaked up to its inevitable position." It reaffirmed its faith in the Union, and its devotion to the Constitution, with its amendments, universally accepted, as a final settlement of the controversy which engendered civil war. This was a re-emergence of Vallandigham's New Departure for the party. The Democratic platform rang with the cry of "Reform," which had been so effectual in New York State in the election of Tilden as Governor. The catalogue of shocking Republican scandals was gone over to prove the futility of attempting "reform within party lines." "President, Vice-President, Judges, Senators, Representatives, Cabinet Officers—these and all others in authority are the people's servants. Their offices are not a private perquisite; they are a public trust." This was the origin of an expression, after-

ward usually referred to President Cleveland, which bade fair to be immortal.

While the Republicans favored a "continuous and steady progress to specie payments," the hard-money men failed to get the Convention to indorse the Resumption Clause of the Act of 1875. The Democrats denounced that clause as a hindrance to resumption, but their Convention would not commit itself to a condemnation of the resumption policy. The Republicans favored a revenue tariff with incidental protection. The Democrats repudiated protection, and demanded "that all custom-house taxation should be only for revenue."

The Republican Convention met in Cincinnati on June 14th. "Third-termers" saw no hope for Grant. James G. Blaine was thought the man most likely to receive the nomination. His name was placed before the Convention by Colonel Robert G. Ingersoll, in one of the most eloquent addresses ever heard on such an occasion. When in the roll-call of States Maine was reached, boundless enthusiasm reigned, with cheering that died away only to be renewed, closing with three cheers for James G. Blaine. Mr. Ingersoll mounted the platform. As he was then comparatively unknown, the epigrammatic force and the fervor of his words took his hearers by surprise. His concluding periods were not soon forgotten, and the title of "Plumed Knight," with which he dubbed his hero, adhered to Mr. Blaine through life.

"This is a grand year," he said; "a year filled with the recollections of the Revolution; filled with proud and tender memories of the sacred past; . . . the span is too long filled with legends of liberty;—a year in which the sons of freedom will drink from the fountain of enthusiasm; a year in which the people call for the man who has preserved in Congress what their soldiers won upon the field; a year in which they call for the man who has torn from the throat of treason the tongue of slander; the man who has snatched the mask of Democracy from the hideous face of the rebellion; the

man who, like the intellectual athlete, has stood in the arena of debate, challenging all comers, and who, up to the present moment, is a total stranger to defeat. Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress, and threw his shining lance full and fair against the brazen forehead of every traitor to his country and every maligner of his fair reputation. For the Republican party to desert that gallant man now is as though an army should desert its general upon the field of battle. . . . James G. Blaine is now, and has been for years, the bearer of the sacred standard of the Republican party. I call it sacred because no human being can stand beneath its folds without becoming and without remaining free.

“Gentlemen of the Convention: In the name of the great Republic, the only Republic that ever existed upon the face of the earth; in the name of all her defenders and of all her supporters; in the name of all her soldiers living; in the name of all her soldiers that died upon the field of battle; and in the name of those that perished in the skeleton clutch of famine at Andersonville and Libby, whose sufferings he so vividly remembers—Illinois—Illinois—nominates for the next President of this country that prince of parliamentarians, that leader of leaders, James G. Blaine.”

Blaine was indeed a brilliant parliamentarian, but his prospects were weakened by alleged questionable proceedings, the nature of which we shall exhibit later. Most of the Southern delegates were for Oliver P. Morton, of Indiana. Conkling, of New York, in addition to the potent support of his State, enjoyed the favor of the Administration. The reform and anti-Grant delegates were enthusiastic for the gallant destroyer of the Whiskey Ring, ex-Secretary Bristow, of Kentucky. George William Curtis said that at the Attorney-General's table he asked Jewell, whom the party—not the managers—would make the candidate, and that Jewell instantly answered, “Bristow.” Pennsylvania, Connecticut, and Ohio all appeared with favorite sons

in their arms: Hartranft, Jewell, and Hayes, respectively. The names familiar enough to evoke cheers from one faction drew "curses not loud but deep" from other cliques. Upon the seventh ballot, therefore, the Convention united upon Governor Rutherford B. Hayes, of Ohio, a man who, though little known, awakened no antagonism and had no embarrassing past, while he had made a most creditable record both as a soldier and as the chief magistrate of his State.

When Hayes was nominated for Governor, in 1875, inflation was popular all over the West. Both parties were infected, though the Democrats the worse. The Ohio Democracy was led that year by William Allen and Samuel F. Carey, two of the ablest campaigners ever heard upon the stump in this country. Hayes dared them to the issue. Spite of protests from timid Republicans, he came out boldly for resumption and the re-establishment of the specie standard, turned the tide against the inflationist hosts, and carried the State. From that moment the Ohio Governor was seen by many to be of Presidential stature. John Sherman was the first to name him for the higher office. In a letter dated January 21, 1876, he had written: "Considering all things I believe the nomination of Governor Hayes would give us more strength, taking the whole country at large, than that of any other man."

The Democratic Convention convened at St. Louis on June 28th, nominating Samuel J. Tilden on the second ballot. Tilden was born in New Lebanon, N. Y., February 9, 1814. In 1845, he was elected to the New York Assembly; in 1846 and again in 1867 to the State Constitutional Convention. He was a keen lawyer. By his famous analysis of the Broadway Bank accounts during the prosecution of the Tammany Ring he rendered an invaluable service to the cause of reform. As Governor, in 1875, he waged relentless and triumphant war against the Canal Ring, "the country thieves," as they were called to distinguished them from Tweed and his coterie.

In accepting the nomination, Tilden reiterated his pro-

tests against "the magnificent and oppressive centralism into which our Government was being converted." He also commended reform in the civil service, deprecating the notion that this service existed for office-holders, and bewailing the organization of the official class into a body of political mercenaries. Hayes's letter emphasized civil service reform even more strongly. He zealously descanted upon the evils of the spoils system, and pledged himself, if elected, to employ all the constitutional powers vested in the President to secure reform, returning to the "old rule, the true rule, that honesty, capacity, and fidelity constitute the only real qualifications for office." Both candidates wished the Executive to be relieved of the temptation to use patronage for his own re-election. Mr. Hayes made "the noble pledge," that in no case would he be a candidate again. Mr. Tilden disparaged self-imposed restrictions, but recommended that the Chief Magistrate be constitutionally disqualified for re-election.

Hayes's ambiguity touching the Southern question gave hope that, even if the Republicans succeeded, a milder Southern policy would be introduced. Tilden, while crying out against the insupportable misgovernment imposed upon reconstructed States, frankly accepted the Democrats' new departure. Before the end of the canvass he published a pledge that, if elected, he would enforce the constitutional amendments and resist Southern claims.

The campaign was tame. The fact that both candidates were of blameless character muffled partisan eloquence. Great efforts were made to discredit Tilden for connection with certain railroad enterprises, and he was sued for an income tax alleged to be due. Retorting, the Democrats sneered at Hayes as an "obscure" man, and roundly denounced the extortion practiced upon office-holders under Secretary Chandler's eye. This chatter amounted to little. All signs pointed to a close election.

So early as May, 1874, Mr. Morton of Indiana had proposed in the Senate an amendment to the Constitution making the President eligible by the people directly. The proposal

was committed and, the next January, debated. Each State was to have as many Presidential as Congressional districts. The Presidential candidate successful in any district would receive therefrom one Presidential vote, while two special Presidential votes would fall to the candidate receiving the greatest number of district votes in the State.

In reviewing the need of some such change Morton spoke like a prophet. "No State," he declared, "has provided any method of contesting the election of electors. Though this election may be distinguished by fraud, notorious fraud, by violence, by tumult, yet there is no method of contesting it." Again: "It seems never to have occurred to the members of the Convention that there could be two sets of electors; it seems never to have occurred to them that there would be fraud and corruption, or any reason why the votes of electors should be set aside. It is clearly a *casus omissus*, a thing overlooked by the framers of the Constitution." The subject was, however, laid aside, and never taken up again till the dangers which Morton had so faithfully foretold were actually shaking the pillars of our Government.

Morton also sought to amend and render of service the twenty-second joint rule, the substance of which was that in counting the electoral votes no question should be decided affirmatively and no vote objected to be counted, "except by the concurrent votes of the two Houses." This rule had been passed in 1865, being meant to enable the radicals to reject electoral votes from Mr. Lincoln's "ten per cent States," viz., those reconstructed on the Presidential plan. Morton proposed to modify this rule so that no vote could be *rejected* save by concurrent vote of the two Houses. A bill providing for such change passed the Senate, six Republicans opposing. It was never taken up in the House. Morton introduced the bill again in the next Congress, only to see it killed by delays.

The election of 1876 passed off quietly, troops being stationed at the polls in turbulent quarters. "The result was doubtful up to the day of election; it was doubtful after the

election was over, and to this day the question, Was Tilden or Hayes duly elected? is an open one. The first reports received in New York were so decidedly in favor of the Democratic ticket that the leading Republican journals admitted its success." The "Times" alone stood out, persistently declaring that Hayes was elected, which caused intense excitement among the huge crowd gathered in the square fronting the "Times" office. The next day different reports were received, and both sides claimed the victory. Hon. Hugh McCulloch, a Republican, but eminently free from partisan bias, was of the opinion at the time, and so long as he lived, that if the distinguished Northern men who visited those States had stayed at home, and there had been no outside pressure upon the returning boards, their certificates would have been in favor of the Democratic electors. This opinion was confirmed by a remark of the President of the Union Telegraph Company at the annual meeting of the Union League Club of New York, in 1878. In a conversation with that gentleman Mr. McCulloch happened to speak of the election of Mr. Hayes, when he interrupted by saying: "But he was not elected." "If he was not, the emanations of your office failed to show it," McCulloch replied. "Oh, yes," he rejoined; "but that was because the examiners did not know where to look." . . . "Mr. Tilden," said a prominent Republican, "was, I suppose, legally elected, but not fairly." This was doubtless the conclusion of a great many other Republicans, as well as of practically all the Democrats.

Pending the meeting of the State electoral colleges, some of Tilden's warmest supporters undertook negotiations to secure for him one or more electoral votes from South Carolina or Florida. As their apologists put it, "they seem to have feared that the corrupt canvassers would declare" those States for Hayes, "and being convinced that the popular vote had been cast for Tilden, to have been willing to submit to the payment of moneys which they were informed some of the canvassers demanded by way of blackmail." One Hardy Solomon, pretending to represent the South Carolina Can-

vassing Board, went to Baltimore expecting to receive \$60,000 or \$80,000 in this interest; but, upon applying to Mr. Tilden for the sum, he was peremptorily refused. These negotiations were authorized neither by Mr. Tilden, who, under oath, denied all knowledge of them, nor by the Democratic National Committee. The Republican members of the Clarkson investigating committee thought them traceable to Tilden's secretary, Colonel Pelton, with Smith M. Weed and Manton Marble; but the responsibility for them was never really fixed upon any one. The despatches went back and forth in cipher. Under a subpoena from the Senate Committee on Privileges and Elections, the Western Union Telegraph Company delivered them to that Committee, and on January 25, 1877, they were locked in a trunk in its room. When this trunk was returned to New York City on the following March 13th it was discovered that a large number of the cipher despatches had been abstracted. Of those missing, some seven hundred were, in May, 1878, in possession of G. E. Bullock, messenger of the committee last named. Part of these subsequently found their way into the office of the New York "Tribune," where they were translated and published, causing much excitement and comment. There is some evidence that Republican cipher despatches no less compromising than these, and used for the same purpose, had been filched from the trunk and destroyed.

Tilden carried New York, New Jersey, Indiana, and Connecticut. With a solid South he had won the day. But the returning boards of Louisiana, Florida, and South Carolina, throwing out the votes of several Democratic districts on the ground of fraud or intimidation, decided that those States had gone Republican, giving Hayes a majority of one in the electoral college. The Democrats raised the cry of fraud. Threats were muttered that Hayes would never be inaugurated. Excitement thrilled the country. Grant strengthened the military force in and about Washington. However, the people looked to Congress for a peaceful solution, and not in vain.

The Constitution provides that the "President of the Senate shall, in presence of the Senate and House of Representatives, open all the (electoral) certificates, and the votes shall then be counted." Attending to the most obvious meaning of these words, a good many Republicans held that the power to count the votes lay with the President of the Senate, the House and Senate being mere spectators. The Democrats objected to this construction, since, according to it, Mr. Ferry, the Republican President of the Senate, could count the votes of the disputed States for Hayes, and was practically certain to do so.

The twenty-second joint rule had, when passed, been attacked as grossly unconstitutional. Republicans now admitted that it was so, and the Senate, since the House was Democratic, voted to rescind it. As it stood, electoral certificates were liable to be thrown out on the most frivolous objections, as that of Arkansas had once been, simply because it bore the wrong seal. But now the Democrats insisted that Congress should enforce this old rule. That done, the House, rejecting the vote of one State, would elect Tilden.

Only a compromise could break the deadlock. A joint committee reported the famous Electoral Commission Bill, which passed House and Senate by large majorities. The main faith in the plan was on the Democratic side. In a Senate speech, February 2, 1881, Blaine spoke of the Commission as "a rickety makeshift." One hundred and eighty-six Democrats voted for it and eighteen against, while the Republican vote stood fifty-two for, seventy-five against. With regard to single returns the bill reversed the Rule of 1865, suffering none to be rejected save by concurrent action of the two Houses. Double or multiple returns were, in cases of dispute, to be referred to a commission of five Senators, five Representatives, and five Justices of the United States Supreme Court, the fifth Justice being selected by the four appointed in the bill. Previous to this choice the Commission contained seven Democrats and seven Republicans. The five Senators on the Commission were George F. Edmunds,

Oliver P. Morton, Frederick T. Frelinghuysen, Republicans; and Allen G. Thurman and Thomas F. Bayard, Democrats. The members of the House were Henry B. Payne, Eppa Hunton, and Josiah G. Abbott, Democrats; and James A. Garfield and George F. Hoar, Republicans. Four Justices of the Supreme Court were designated in the Act by the circuits to which they belonged. These were Nathan Clifford and Stephen J. Field, Democrats, and William Strong and Samuel F. Miller, Republicans. These four Justices were by the Act to select the fifth. It was expected that the fifth Justice would be Hon. David Davis, of Illinois, a neutral with Democratic leanings, who had been a warm friend of President Lincoln's but an opponent of Grant. Mr. Davis's unexpected election as Senator from his State made Justice Bradley the decisive umpire.

The Commission met on the last day of January, 1877. The cases of Florida, Louisiana, Oregon, and South Carolina were in succession submitted to it, eminent counsel appearing for each side. There were double or multiple sets of returns from each State named. Three returns from Florida were passed in. One contained four votes for Hayes, certified by the late Republican Governor, Stearns. One return gave four votes for Tilden, bearing the certificate of the Attorney-General, a member of the returning board. Third was the same return reinforced with the certificate of the new Democratic Governor, Drew, under a State law passed a few days before, directing a recanvass of the votes. Democratic counsel urged that the first return should be rejected as the result of fraud and conspiracy by the returning board, whose action the State Supreme Court had held to be *ultra vires* and illegal.

In Baker County, which was decisive of the result in Florida, the canvassers were the county judge, the county clerk, and a justice of the peace to be called in by them. The judge refusing to join the clerk in the canvass, the latter summoned a justice and with him made the canvass, which all admitted to be a true one. The same night the judge

called in the sheriff and another justice, and together they surreptitiously entered the clerk's office, lighted it up, and took out the returns from a drawer in his desk. There were only four precincts in the county, and of the four returns from these, confessedly without the slightest evidence of fraud or intimidation, they threw out two. The other two they certified.

The Republican counsel maintained that the issue was not which set of Florida electors received an actual majority, but which had received the legal sanction of State authority; in short, that the business of the Commission was not to go behind the returns, which, they argued, would be physically, legally, and constitutionally impossible. This view the Commission espoused, which sufficed to decide not only the case of Florida, but also that of Louisiana, whence came three sets of certificates, and that of South Carolina, whence came two. The first and third Louisiana returns were duplicates, signed by Governor Kellogg, in favor of the Hayes electors. The second was certified by McEnery, who claimed to be Governor, and was based not upon the return as made by the board, but upon the popular vote. The return of the Tilden electors in South Carolina was not certified. They alleged that they had been counted out by the State Board in defiance of the State Supreme Court and of the popular will.

In Oregon the Democratic Governor declared one of the Hayes electors ineligible because an office-holder, giving a certificate to Cronin, the highest Tilden elector, instead. The other two Hayes electors refused to recognize Cronin, and, associating with them the rejected Republican elector, presented a certificate signed by the Secretary of State. Cronin, as the Republican papers had it, "flocked all by himself," appointed two new electors to act with him, and cast his vote for Tilden, though his associates voted for Hayes. The Cronin certificate was signed by the Governor and attested by the Secretary of State.

After deciding not to go behind any returns that were

formally lawful, the Commission, by a strict party vote of eight to seven, decided for the Hayes electors in every case. Whether the result would have been different if Justice Davis had been the fifth justice in the Commission is a question that must always remain open. By no utterance of Mr. Davis was there ever an indication of what his action would have been, but he had a high opinion of Mr. Tilden, and his political sympathies were known by his intimate friends to have been on the side of the Democrats. The Commission adjourned March 2d. The same day, "the counting of the votes having been concluded, Senator William B. Allison, one of the tellers on the part of the Senate, in the presence of both Houses of Congress, announced, as a result of the footings, that Rutherford B. Hayes had received 185 votes for President, and William A. Wheeler 185 votes for Vice-President; and thereupon the presiding officer of the Convention of the two Houses declared Rutherford B. Hayes to have been elected President, and William A. Wheeler Vice-President of the United States for four years from the 4th day of March, 1877." Hayes was inaugurated without disturbance.

For this outcome, owing to the determining position which he held on the Commission, Mr. Justice Bradley was made to bear wholly unmerited censure. The fault lay not in him but elsewhere. Vicious State laws were to blame for giving judicial powers to partisan returning boards, and for otherwise opening the door to confusion and fraud; but Congress was the worst sinner, failing to pass a law to forestall the difficulty of rival certificates.

The Commission having decided, the whole country heaved a sigh of relief; but all agreed that provision must be made against such peril in the future. An Electoral Count Bill was passed late in 1886, and signed by the President, February 3, 1887. It aimed to throw upon each State, so far as possible, the responsibility of determining its own vote. The President of the Senate opens the electoral certificates in the presence of both Houses and hands them to

tellers, two from each House, who read them aloud and record the votes. If there is no dispute touching the list of electors from a State, such list, being certified in due form, is accepted as a matter of course. In case of dispute, the procedure is somewhat complex, but quite thorough. It will be set forth with some detail in Chapter XIII.

CHAPTER IX.

HAYES AND THE CIVIL SERVICE.

Hayes's Character—His Cabinet—End of Bayonet Rule at the South—This the Result of a "Deal"—"Visiting Statesmen" at the Louisiana Count—Hayes Favors Honesty—His Record—Hayes and Garfield Compared—The Spoils System—Early Protests—A Civil Service Commission—Its Rules—Retrogression under Grant—Jewell's Exit from the Cabinet—Hoar's—Butler's "Pull" on Grant—Collector Simmons—The Sanborn Contracts—Bristow a Reformer—The Whiskey Ring—Myron Colony's Work—Plot and Counter-Plot—"Let no Guilty Man Escape"—Reformers Ousted—Good Work by the Press—The "Press-Gag"—First Democratic House Since the War—Hayes Renews Reform—Opposed by Conkling—Fight over the New York Collectorship—The President Firm and Victorious.

PARTLY the mode of his accession to office and partly the rage of selfish placemen who could no longer have their way, made it fashionable for a time to speak of President Hayes as a "weak man." This was an entire error. His Administration was in every way one of the most creditable in all our history. He had a resolute will, irreproachable integrity, and a comprehensive and remarkably healthy view of public affairs. Moreover, he was free from that "last infirmity," the consuming ambition which has snared so many able statesmen. He voluntarily banished the alluring prospect of a second term, and rose above all jealousy of his distinguished associates. Never have our foreign affairs been more ably handled than by his State Secretary. His Secretary of the Treasury triumphantly steered our bark into the safe harbor of resumption, breakers roaring this side and that, near at hand. In his appointments as well as his other official duties Hayes acted for himself, with becoming independence even of his Cabinet. On one occasion, as he was announcing certain appointments connected with the

State Department, Secretary Evarts looked up in surprise, evidently hearing the names for the first time. "Mr. President," said he, with veiled irony, "I have never had the good fortune to see the 'great western reserve' of Ohio, of which we have heard so much." That Hayes was such men's real and not their mere nominal chief, in naught dims their fame, though heightening his.

True to his avowed principles, President Hayes had made up his Cabinet of the ablest men, disregarding party so far as to select for Postmaster-General a Democrat, David M. Key, of Tennessee. William M. Evarts was Secretary of State; John Sherman, Secretary of the Treasury; Carl Schurz, Secretary of the Interior. The first important act of his Administration was to invite the rival Governors of South Carolina, Hampton and Chamberlain, to a conference at Washington. It will be remembered that when Chamberlain became Governor his integrity awakened the hate of his old supporters, while his former antagonists smothered him with embraces. The hate was more enduring than the love. Good government was restored, but this was purely an executive reform, which the vulgar majority ridiculed as a weakness. Race antipathy still rankled, for Governor Chamberlain would not yield an inch as a defender of the negro's political and civil rights. The Democratic successes of 1874 in the country at large inspired the South Carolina Democrats with the wildest zeal. Wade Hampton, "the Murat of the Confederacy," dashing, fervid, eloquent, the Confederate veterans' idol, was nominated for Governor. The party which elected Chamberlain was forced to renominate him. The pressure of official patronage was used to this end, and it was known that he alone among Republicans could preserve the State from a reign of terror.

The whites rallied to Hampton with delirious enthusiasm. "South Carolina for South Carolinians!" was their cry. White rifle clubs were organized in many localities, but the Governor disbanded them as unsafe and called in United States troops to preserve order. In the white counties the

negroes were cowed, but elsewhere they displayed fanatical activity. If the white could shoot, the black could set fire to property. Thus crime and race hostility increased once more to an appalling extent. The Hamburg massacre, where helpless negro prisoners were murdered, was offset by the Charleston riot, where black savages shot or beat every white man who appeared on the streets. The course of events in Louisiana had been similar, though marked by less violence. Nicholls was the Democratic aspirant, and S. B. Packard the Republican. Both were in earnest, and, if Federal forces were to be kept in use as a Southern police, the conflict bade fair to last forever. But this was not to be. Even President Grant had now changed his view of the Southern situation, stating frankly "that he did not believe public opinion would longer support the maintenance of State governments in Louisiana by the use of the military, and that he must concur in this manifest feeling."

President Hayes withdrew Federal support from the South Carolina and Louisiana governments, and they at once fell. Many Republicans fiercely criticised this policy. Some said that by failing to support the governments based upon the canvass of the very returning boards that gave him the electoral delegations in the two States named, he impeached his own title. This was untrue. With regard to State officers, the judicial powers of the returning boards were clearly usurpations, contrary to the State constitutions, while, as to Federal officers, such as electors, the power of the boards to modify or reject returns was independent of the State constitutions, yet not forbidden by any Federal law.

As the old "Cincinnati Commercial" once expressed it, Hayes was "good, but not goody-good." He was no mere idealist, no doctrinaire, but a practical though honorable man of affairs. The new "deal" in the South was probably due to an understanding arrived at before the electoral count, and shared by the President-elect, though F. H. Wines and others among Hayes's warmest friends denied that he was privy to it. In the Charleston "News and Courier" under date of

June 20, 1893, Hon. D. H. Chamberlain showed that, while the proceeding was not necessarily corrupt, and was probably the part of good politics and even of statesmanship, Hayes was certainly party to a "bargain," agreeing to remove troops from South Carolina in case he was permitted to be seated, Chamberlain said: "While Hayes did not expressly promise to remove the troops, he did by speech or by failing to speak give sufficient assurance to the 'shrewd, long-headed men' with whom he was dealing to warrant them in supporting his claim to the Presidency on so tremendous an issue to the South." "Hayes's friends assembled, met the 'shrewd, long-headed men' of the South, negotiated, winked, and nodded, and finally gave the express promise which the South demanded. Hayes knew it all. He did not contradict his friends. He accepted his seat, secured to him by the attitude of the South. He removed the troops. Here was a bargain in all its elements."

Unless this understanding may be considered such, Mr. Hayes had no part in any of the devices by which he was placed in the Presidential chair. When Senator Edmunds introduced the Electoral Commission Bill, Hayes viewed it with no favor. He did not regard the Commission as constitutional, but considered the duty of Congress in reference to counting the electoral ballots to be purely ministerial. The same as to post-election proceedings in the South. The prominent Republicans who visited New Orleans to witness the canvass of the Louisiana Presidential vote did so solely at the instance of President Grant. From Ohio went John Sherman, Stanley Matthews, J. A. Garfield, and Job E. Stevenson. From Iowa went J. M. Tuttle, J. W. Chapman, W. R. Smith, and W. A. McGrew; from Illinois, C. B. Farwell, Abner Taylor, S. R. Haven, and J. M. Beardsley; from New York, E. W. Stoughton and J. H. Van Alen; from Indiana, John Coburn and Will Cumbback; from Pennsylvania, William D. Kelley; from Kansas, Sidney Clarke; from Maryland, C. Irving Ditty; from Maine, Eugene Hale.

Not only had Governor Hayes nothing to do with the origination of this ambassage, but when it was in function he urged that it should be guilty of no abuse. From Columbus, Ohio, November 27, 1876, he wrote: "A fair election would have given us about forty electoral votes at the South—at least that many. But we are not to allow our friends to defeat one outrage and fraud by another. There must be nothing crooked on our part. Let Mr. Tilden have the place by violence, intimidation and fraud, rather than undertake to prevent it by means that will not bear the severest scrutiny." Even had Mr. Hayes wished fraud it is hard to see how, under the circumstances, he could have procured or induced such; for watchers for the Democratic party were also at the count: from Indiana, J. E. McDonald, George W. Julian, M. D. Manson, and John Love; from Illinois, John M. Palmer, Lyman Trumbull, and William R. Morrison; from Pennsylvania, Samuel J. Randall, A. G. Curtin, and William Bigler; from Kentucky, Henry Watterson, J. W. Stevenson, and Henry D. McHenry; from Wisconsin, J. R. Doolittle and George B. Smith; from Ohio, J. B. Stallo and P. H. Watson; from New York, Oswald Ottendorfer and F. R. Coudert; from Missouri, Louis V. Bogy, James O. Broadhead, and C. Gibson; from Maryland, John Lee Carroll and William T. Hamilton; from Connecticut, Professor W. G. Sumner. Upon invitation of the Returning Board, five of the Democratic "visitors," as well as a like number of the Republicans, attended the several sessions of the Board to watch. The proceedings were thrice reported, once for the Board itself and once for each body of the Northern guests. The evidence taken and the acts performed were published by Congress. Senator Sherman felt "bound, after a long lapse of time, to repeat what was reported to General Grant by the Republican visitors, that the Returning Board in Louisiana made a fair, honest, and impartial return of the result of the election." Sherman wrote Hayes at the time: "That you would have received, at a fair election, a large majority in Louisiana, no honest man

U. S. VOL. 8.—9.

can question; that you did not receive a majority is equally clear.”¹ Some pretended to think that if Hayes had the slightest doubt touching the legitimacy of any proceedings resorted to for the purpose of seating him he ought not to have accepted the Presidency. Such failed to bear in mind that the country was then at a crisis, and that Mr. Hayes’s refusal of the Presidency would in all probability have resulted in anarchy and war. His acceptance, under the circumstances, was therefore clearly his duty, whatever he thought of antecedent procedure.

Mr. Sherman believed “that the nomination of Hayes was not only the safest, but the strongest that could be made. The long possession of power by the Republicans naturally produced rivalries that greatly affected the election of any one who had been constantly prominent in public life, like Blaine, Conkling, and Morton. Hayes had growing qualities, and in every respect was worthy of the high position of President. He had been a soldier, a member of Congress, thrice elected as Governor of Ohio, an admirable executive officer, and his public and private record was beyond question. He was not an aggressive man, although firm in his opinions and faithful in his friendships. Among all the public men with whom I have been brought in contact, I have known none who was freer from personal objection, whose character was more stainless, who was better adapted for a high executive office.”

“There was a striking contrast between the personal qualities of Garfield and Hayes. Hayes was a modest man, but a very able one. He had none of the brilliant qualities of his successor, but his judgment was always sound, and his opinion, when once formed, was stable and consistent. . . . During his entire term, our official and personal relations were not only cordial, but as close and intimate as those of brothers could be. I never took an important step in the process of resumption and refunding . . . without consult-

¹John Sherman’s “Recollections,” p. 557.

ing him. . . . Early in his Administration we formed the habit of taking long drives on each Sunday afternoon in the environs of Washington. He was a regular attendant with Mrs. Hayes, every Sunday morning, at the Methodist Episcopal Church, of which she was a member. This duty being done, we felt justified in seeking the seclusion of the country for long talks about current measures and policy.”¹

Mr. Hayes came to the Presidency at a very critical time. The financial situation of the country, the still unsettled state of affairs at the South, faction, rebellion, and greed for official spoils within his own party, called upon the new Chief Magistrate for skill and resolution such as few men in his place could have supplied. Mr. Hayes responded nobly and successfully. He triumphed in a task which the ablest and purest political leaders have always found so hard: he repressed corruption in his own party. Under President Hayes the systematic prostitution of our public offices for partisan and private purposes was, if not definitely ended, so discouraged that it has never since recovered its old shamelessness. In this those years form an epoch in the Nation's history.

Ever since the days of President Jackson, in 1829, appointments to the minor Federal offices had been used for the payment of party debts and to keep up partisan interest. Though this practice had incurred the deep condemnation of Webster, Clay, Calhoun, and all the best men in public life, it did not cease, but prevailed more and more. So early as 1853 pass examinations had been made prerequisite to entering the civil service, but the regulation had amounted to nothing. President Lincoln once inquired where he could get the small-pox. “For,” said he, “then I should have something I could give to everybody.” The honor of being the first to make a systematic endeavor against the spoils abuse belongs to the Hon. Thomas A. Jenckes, a representative in Congress from Rhode Island between March, 1863,

¹ John Sherman's "Recollections," pp. 550, 551, 807.

and March, 1871. Beginning in 1865, Mr. Jenckes, so long as he continued in Congress, annually introduced in the House a bill "to regulate the civil service of the United States." Early in 1866 Senator B. Gratz Brown, of Missouri, also undertook to get the "spoils system" superseded by the "merit system." No success attended these efforts.

In 1870-71 reform in the civil service almost became an issue. It was one of the three cardinal principles of the Liberal Republicans, was an item in the "New Departure" made by the Democrats that year, received compliments, more or less sincere, from politicians of all stripes, and, in 1872, was recognized for the first time in all the party platforms. On March 3, 1871, an act was passed authorizing the President, through a commission to be appointed by himself, to ascertain "the fitness of candidates as to age, health, character, knowledge, and ability, by examination," and to prescribe regulations for the conduct of appointees. The President that year appointed a commission, George William Curtis its chairman. On December 19th he sent a message to Congress, transmitting the report of the commissioners, together with the rules submitted by them in relation to the appointment, promotion, and conduct of persons filling the offices covered by the law.

These rules provided that each applicant should furnish evidence as to his character, health, and age, and should pass a satisfactory examination in speaking, reading, and writing the English language. Positions were to be grouped and graded, according to the nature of the work, admission to the civil service always introducing the candidate to the lowest group. Public competitive examinations were to be instituted, and a list of examinees made up and kept on record, with the order of their excellence. Each appointment was to be made from the three leading eligibles. Admission to a group above the lowest could be had only by one of three candidates from the next lower grade who stood highest in a competitive examination. An applicant for a place of trust where another officer was responsible for his fidelity could

not be appointed without the approval of such officer; and postmasterships yielding less than two hundred dollars a year were not placed under the rule. With some exceptions, notably of postmasters and consuls, appointments were to be probationary for a term of six months. Best of all the regulations presented was the following: "No head of a department or any subordinate officer of the Government shall, as such officer, authorize or assist in levying any assessment of money for political purposes, under the form of voluntary contributions or otherwise, upon any person employed under his control, nor shall any such person pay any money so assessed." Higher officials and some others were, however, excepted from the operation of this rule.

President Grant reported that the new methods "had given persons of superior capacity to the service"; yet Congress, always niggardly in its appropriations for the Commission's work, in 1875 made no appropriation at all, so that the rules were perforce suspended. Ardor for spoils was not the sole cause of this. Many friends of reform thought the new system, as it had been begun, too stiff and bookish, too little practical; nor could such a view be declared wholly mistaken. Intelligent labor-leaders, it was found, usually opposed the reform in that shape, as it would exclude themselves and all but the most favored of their children from public office.

Unfortunately, the President cared as little as Congress for a pure civil service. This was everywhere apparent. It can not be ignored that Grant's second Administration was shamefully weak and corrupt. "The very obstinacy of temper which made him so formidable in the field, now, when combined with the self-confidence bred by his re-election and the flattery of his adherents, not only made him impervious to public opinion, but made all criticism of him seem an act of insolent hostility, to be punished or defied." Charles Francis Adams quoted it as the opinion of a Republican, he thought Evarts, during Grant's second four years, that "the Republican party was like an army, the term of en-

listment of which had expired." It was a happy simile. Straggling was common, complaints were numerous, and mutiny had begun. Summary, worse than military, methods of appointment and dismissal were employed.

In respect to the manner of Jewell's resignation, the story went—believed to be on the authority of Vice-President Wilson—that Grant and Jewell were alone together, talking over matters, when, without any previous suggestion of the subject, the President said: "Jewell, how do you suppose your resignation would look written out?" Thinking or affecting to think the question a joke of Grant's, Jewell said he would write it and see. "All right," said Grant, "you just take some paper and write it down and see how it looks." Jewell wrote and handed the paper to Grant. The President eyed it a moment and then remarked: "That looks well. I will accept that." He was in earnest, and on July 11, 1876, Jewell was out of the Cabinet. Verisimilitude is lent this account by the known abruptness with which Judge Hoar was ejected from the office of Attorney-General. He was sitting in his room, bent upon the business of his office, absolutely without a hint of what was coming, when a messenger entered with a letter from Grant. It contained the naked statement that the President found himself under the necessity of asking for Mr. Hoar's resignation. "No explanation of any kind was given, nor reason assigned. The request was as curt and as direct as possible. A thunder-clap could not have been more startling."

Benjamin F. Butler obtained great power with Grant, which immensely aided him in "capturing" the Massachusetts governorship. Patronage was liberally accorded him. "In every town and village a circle was formed round the postmaster, the collector, or some other Government officer, who was moved by the hope of personal gain. Not a man who wished for place or had a job on hand but added to their numbers." Foiled at two elections, Butler was not in the least daunted, but spurred to renewed exertion, sure that the powers at Washington would deny him nothing. At last

“Mr. Simmons, who, in a subordinate position, had particularly distinguished himself in the management of the last canvass, was promoted by the President to the Collectorship of Boston, in the hope that the most important national office in New England might offer a fitting sphere of action for his peculiar abilities.” Even a Republican Convention had rebuked this man for his unendurable officiousness as a political boss. “Harper’s Weekly” for March 21, 1874, said: “No recent political event is comparable in the excitement it has caused to the appointment of the Boston Collector. The situation every day forces upon the most unwavering Republicans the question, When will it be necessary for our honor as men and patriots to oppose the party?”

In 1874, public wrath was aroused by the exposure of the “Sanborn Contracts,” made in 1872, between the Hon. William A. Richardson, then Acting Secretary of the Treasury, subsequently promoted to Mr. Boutwell’s seat in the Cabinet, and Mr. John D. Sanborn, giving Sanborn the right to collect for the Treasury, “share and share alike,” taxes which were already collected by regular officers of the Government. Such officers were not only directed not to interfere with Mr. Sanborn, but bidden to co-operate with him. By March, 1874, less than two years, this profitable arrangement had paid Sanborn over \$200,000. Morally indefensible as it was, it seems to have been legal. The House Committee of Ways and Means examined into the case. Unable, on the evidence adduced, exactly to fix the responsibility of making the contracts, the committee could not “in justice to itself ignore the fact” that three persons, Richardson, Secretary of the Treasury, the Assistant Secretary, and the Solicitor of the Treasury, “deserved severe condemnation for the manner in which they permitted this law to be administered.” The committee, however, found no fact on which to base a belief that any of these officers had acted from wrong motives. It recommended repealing the law and the annulment of all contracts made under it. Mr. Richardson’s resignation was soon after reluctantly accepted by the

President, and his nomination to the Court of Claims confirmed with equal reluctance by the Senate. Hon. B. H. Bristow, of Kentucky, succeeded him in the Treasury.

The new Secretary at once bent his attention to reorganizing and improving the customs and internal revenue service. His fearless removals and searching investigations soon stirred the venomous hostility of various corrupt cliques which had been basking on the sunny side of the Treasury. There were the instigators of the Safe-Burglary frauds, of the Seal-Lock frauds, and of the Subsidy frauds, besides jealous, chagrined and corrupt officials; but most formidable of all, and in a sense, at the head of all, was the Whiskey Ring. It was patent from statistics that the United States had, by 1874, in St. Louis alone, lost at least \$1,200,000 of the revenue which it should have received from whiskey, yet special agents of the Treasury set to work from time to time had failed to do more than cause an occasional flurry among the thieves. The guilty parties were somehow always effectively forewarned and forearmed against any effort to punish or identify them. The Ring seemed to have eyes, ears, and hands in every room of the Internal Revenue Department, in the Secretary's office, and even in the Executive Mansion.

The Whiskey Ring was organized in St. Louis, when the Liberal Republicans there achieved their first success. It occurred to certain politicians to have the revenue officers raise a campaign fund among the distillers. This idea the officers modified later, raising money in the same way for themselves, and in return conniving at the grossest thievery. As it became necessary to hide the frauds, newspapers and higher officials were hushed, till the Ring assumed national dimensions. Its headquarters were at St. Louis, but it had branches at Milwaukee, Chicago, Peoria, Cincinnati, and New Orleans. It had an agent at Washington. A huge corruption fund was distributed among gaugers, storekeepers, collectors, and other officials, according to a fixed schedule of prices. Subordinate officers were not merely tempted to become parties, but were even obliged to do so on penalty

of losing their places. Honest distillers and rectifiers were hounded with false accusations and caught in technical frauds, till their choice seemed to lie between ruin and alliance with the Ring. One or two inquirers peculiarly persistent were assaulted and left for dead. They besought the Government for speedy relief, threatening, unless it was granted them, to expose the corrupt intimacy between the Internal Revenue Bureau and the Ring. So potent had the organization grown that the politicians persuaded Grant, "for the party's sake," to countermand, though he had at first approved, Bristow's order directing a general transfer of supervisors, as such transfer would have thrown the thieves' machine out of adjustment.

At length, upon the recommendation of Mr. George Fishback, editor of the St. Louis "Democrat," the reform Secretary appointed Mr. Myron Colony, of St. Louis, a special agent to unearth the frauds, with the co-operation of Bluford Wilson, the Solicitor of the Treasury. One of the conditions upon which Mr. Colony accepted his grave and difficult charge was that of perfect secrecy. The first plan was to ascertain by means of detectives the amount of grain carted into the distilleries, with the amount of whiskey shipped to rectifying-houses or elsewhere, and to establish the fact of illegal nocturnal distillation—for the law allowed but one distillation every seventy-two hours. This effort the guilty parties discovered and opposed, midnight combats taking place between the burly detectives and ruffians hired to fight them. That line of attack was finally abandoned, but not till valuable evidence had been secured.

The next move was as follows: Under pretext of gathering commercial statistics, a work which, as financial editor of the "Democrat" and as Secretary of the St. Louis Board of Trade, Mr. Colony had often done, and could, of course, do without suspicion, he obtained, at landings and freight depots, copies of bills of lading that showed all the shipments of staple articles, including whiskey, to or from St. Louis, Chicago, and Milwaukee. The record gave the names of

the shippers and the consignees, the number of gallons and the serial number—never duplicated—of the revenue stamps on each and every package. The discrepancies between these way-bills and the official records furnished to the Internal Revenue Office showed conclusively the extent of the frauds and the identity of the culprits. From July 1, 1874, to May 1, 1875, no less than \$1,650,000 had been diverted from the Government till.

The illicit distillers lay quite still while the toils were woven around them. They were aware of the Secretary's enmity and cordially reciprocated it, but their suspicions had been lulled by his first retreat. Moreover, they felt that news of any proposed investigation would be sure to reach them from their official correspondents. They were not prepared for an investigation conducted in the main by private citizens, and kept secret from the Department, which was in more intimate alliance with them than with its own chief or with the people whom he was serving. When little remained but to unmask the batteries, a vague sense of uneasiness began to express itself in Congressional and other queries at the Internal Revenue Office—which was as blissfully ignorant as the Ring itself—and later at the White House, where it was learned that investigation was indeed on foot. The investigators, too, were startled, after they had fixed Monday, May 10th, as the date for the *coup*, by learning of a telegram to St. Louis running, "Lightning will strike Monday! Warn your friends in the country!" It turned out that this telegram was from a gentleman who had been informed of the purpose to strike on that day, and had communicated it to a distilling firm in St. Louis hostile to the Ring.

Its torpid writhings availed the monster naught. Equally vain the pious preparations at once made against a mere raid. The traps set with secrecy and patience were sprung simultaneously in St. Louis, Chicago, and Milwaukee. Records seized justified numerous arrests in nearly every leading city. Indictments were found against one hundred and fifty-

two liquor men and other private parties, and against eighty-six Government officials, among them the chief clerk in the Treasury Department, and President Grant's Private Secretary, General O. E. Babcock. On the back of a letter from St. Louis, making a charge or suggestion against Babcock, Grant had indorsed, "Let no guilty man escape." Five or six times in the progress of the case he said: "If Babcock is guilty there is no man who wants him proven guilty as I do, for it is the greatest piece of traitorism to me that a man could possibly practice." Still, Babcock's prosecutors complained that efforts were made to transfer the case to a military court, to deprive them of papers incriminating the Private Secretary, and to prevent important testimony being given by informers on promise of immunity. All the prominent defendants were convicted save Babcock, but three of them were pardoned six months later. After his acquittal, Babcock was dismissed by the President.

In the spring of 1876, the dauntless Secretary Bristow assaulted the California Whiskey Ring, but here at last he was foiled. When the temperature rose to an uncomfortable degree, a Senator demanded, and in spite of the Secretary secured, the removal of the more active Government prosecutors in that section. The retirement of Secretary Bristow followed soon after. With him went Solicitor Wilson, Commissioner Pratt, Mr. Yaryan, chief of revenue agents, and District-Attorney Dyer. The Treasurer and the First and Fifth Auditors of the Treasury also resigned. The whole course of proceedings was embarrassed by misunderstandings with the President, who was misled into the belief that his own ruin and that of his family was sought by the investigators, especially by Bristow, who, it was whispered, had designs upon the Presidency. The President broke from these maligners more than once, but there was enough in the press, in the popular applause with which the prosecution was hailed, and in the conduct of the trials, to renew his suspicions, to hinder the prosecution of the St. Louis Ring, and finally to unseat the anti-machine Secretary himself.

This officer's retirement occurred not quite a month before that of Postmaster-General Jewell.

Great credit was due to the press for its assistance in discovering and exposing the whiskey frauds. Notwithstanding exaggerations and errors here and there, laying faults at wrong doors, its work was praiseworthy in the extreme. As the New York "Times" had exposed the "Tweed Ring," so to the St. Louis newspaper men was due, in large part, the glory of bringing to light the whiskey iniquity. As in so many other instances, the press proved the terror of unclean politicians and the reliance of the people. In those times, and in the course of such complicated investigations, it was inevitable that libels should occur and do harm. Naturally, and perhaps justifiably, Congress undertook to remedy this ill by amending the law of libel. The debate over the measure was in great part composed of philippics against "the licentious newspaper." The licentious newspaper retorted in the teeth of the law, which was christened the "Press-Gag Law." The enactment, too much resembling the old "Sedition Law," was universally unpopular, contributing not a little to the Democratic victories of 1874. Judge Poland, of Vermont, the chief sponsor for it, was defeated in this election. As a further consequence of it, in the Forty-fourth Congress, first session, meeting in 1875, the National House of Representatives, for the first time since the Civil War, had a Democratic majority. It was seventy strong, and elected Hon. Michael C. Kerr Speaker.

These paragraphs perhaps afford the reader sufficient insight into the condition of Republican politics when Mr. Hayes became President; they indicate the strength of the evil tide which he so resolutely set himself to turn. Even from a party point of view the plunder system of party politics had failed to justify itself. Yet, while his efforts for reform were indorsed by thousands of the rank and file, Hayes found himself strenuously opposed by a large and powerful Republican faction. As the head and front of this, championing all that Grant had stood for, his sins of omis-

sion, and his sins of commission alike, towered Senator Roscoe Conkling, of New York, one of the most formidable personal leaders in the grand old party. Though knowing of this gentleman's sure and potent antagonism, the President did not hesitate, but early and firmly took the bull by the horns.

He touched the danger-line in removing Chester A. Arthur from the office of Collector of the Port of New York, A. B. Cornell from that of Naval Officer, and George H. Sharpe from that of Surveyor. Over two-thirds of the nation's customs revenue was received at that port, and its administration could not but be important. Numerous complaints having been made concerning affairs and methods at the port, a Commission was appointed in April, 1877, to make an examination. Its first report, dwelling on the evils of appointments for political reasons without due regard to efficiency, was rendered May 24th, and it recommended considerably sweeping changes. President Hayes concurred in these recommendations. He wrote Secretary Sherman: "It is my wish that the collection of the revenues should be free from partisan control, and organized on a strictly business basis, with the same guarantees for efficiency and fidelity in the selection of the chief and subordinate officers that would be required by a prudent merchant. Party leaders should have no more influence in appointments than other equally respectable citizens. No assessments for political purposes on officers or subordinates should be allowed. No useless officer or employee should be retained. No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions, or election campaigns. Their right to vote, and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties."

Five more reports were made, exhibiting in all their gravity the evils then prevalent in the business of the port. Twenty per cent of the persons employed needed to be

dropped. Ignorance, inefficiency, neglect of duty, dishonesty, inebriety, bribery, and various other forms of improper conduct were all common. At first there was no thought of removing Arthur or Cornell, but they were seen to be so bound up with the unbusiness-like system that they must fall with it. The Commissioners "found that for many years past the view had obtained with some political leaders that the friends of the Administration in power had a right to control the customs appointments; and this view, which seemed to have been acquiesced in by successive Administrations, had of late been recognized to what the Commission deemed an undue extent by the chief officer of the service. These gentlemen, on the ground that they were compelled to surrender to personal and partisan dictation, appeared to have assumed that they were relieved, in part at least, from the responsibilities that belonged to the appointing power." The Administration became convinced "that new officers would be more likely to make the radical reforms required," that in order to accomplish any thorough reform of the Government's business methods at the New York port, the Collector, the Naval Officer, and the Surveyor must either resign or be removed. On September 6, 1877, Secretary Sherman wrote his Assistant Secretary:

"After a very full consideration and a very kindly one, the President, with the cordial assent of his Cabinet, came to the conclusion that the public interests demanded a change in the three leading offices in New York, and a public announcement of that character was authorized. I am quite sure that this will on the whole, be considered to be a wise result. The manner of making the changes and the persons to be appointed will be a subject of careful and full consideration, but it is better to know that it is determined upon and ended. This made it unnecessary to consider the telegrams in regard to Mr. Cornell. It is probable that no special point would have been made upon his holding his position as Chairman of the State Committee for a limited time, but even that was not the thing, the real question

being that, whether he resigned or not, it was better that he and Arthur and Sharpe should all give way to new men, to try definitely a new policy in the conduct of the New York Custom-house. I have no doubt, unless these gentlemen should make it impossible by their conduct hereafter, that they will be treated with the utmost consideration, and, for one, I have no hesitation in saying that I hope General Arthur will be recognized in a most complimentary way."

'A great fight was now on. Arthur was offered the eligible post of Consul-General at Paris, thought likely to be highly agreeable to him, but he declined it. None of the officials would resign. On the contrary, pushed by Senator Conkling, all three preferred to make an issue against the proposed reform. On October 24, 1877, the President nominated for Collector Theodore Roosevelt, for Surveyor Edward A. Merritt, and for Naval Officer L. B. Prince. Five days later the Senate rejected them. Conkling was in high feather. On December 6th, during the following session, the three were again nominated, but only the last, ten days later, confirmed. "No doubt," said Sherman, "the Democratic majority in the Senate might defend themselves with political reasons, but the motive of Mr. Conkling was hostility to President Hayes and his inborn desire to domineer." After the session closed, in 1878, the President temporarily placed Edwin A. Merritt in the office of Collector, and Silas W. Burt in that of Naval Officer. With the opening of the next Senate it became necessary to submit the nominations to that body for confirmation. The Secretary of the Treasury, so interested in the case that he had determined to resign should the Senate reject again, wrote Senator Allison:

"I would not bother you with this personal matter, but that I feel the deepest interest in the confirmation of General Merritt, which I know will be beneficial to us as a party, and still more so to the public service. Personally I have the deepest interest in it because I have been unjustly assailed in regard to it in the most offensive manner.

I feel free to appeal to you and Windom, representing as you do Western States, and being old friends and acquaintances, to take into consideration this personal aspect of the case. If the restoration of Arthur is insisted upon, the whole liberal element will be against us and it will lose us tens of thousands of votes without doing a particle of good. No man could be a more earnest Republican than I, and I feel this political loss as much as any one can. It will be a personal reproach to me, and merely to gratify the insane hate of Conkling, who in this respect disregards the express wishes of the Republican members from New York, of the great body of Republicans, and as I personally know, runs in antagonism to his nearest and best friends in the Senate."

To Senator Justin S. Morrill Sherman wrote a much longer letter, giving reasons in detail in favor of confirming the new men, and containing specific charges of neglect of duty on the part of Arthur and Cornell. After seven hours of struggle in the Senate Conkling was decisively defeated, Merritt being confirmed 33 to 24, and Burt 31 to 19. Four-fifths of the Democrats and two-fifths of the Republicans voted for confirmation.

While temper over this controversy was at its hottest George William Curtis supported in the New York State Republican Convention a resolution commending Hayes's Administration, and especially his course with regard to the civil service. This aroused Conkling to make a fierce personal attack upon Curtis. Curtis wrote: "It was the saddest sight I ever knew, that man glaring at me in a fury of hate and storming out his foolish blackguardism. It was all pity. I had not thought him great, but I had not suspected how small he was. His friends, the best, were confounded. One of them said to me next day, 'It was not amazement that I felt, but consternation.' Conkling's speech was carefully written out, and therefore you do not get all the venom, and no one can imagine the Mephistophelian leer and spite."

After all, strange as it may seem, Hayes's bold independence did not seriously divide his party. Few stalwarts

dared call him a traitor. Democratic opposition fortified him against this. The House, Democratic throughout his term, fought nearly all his wishes, as did the Senate, now also Democratic, during his last two years. To balk him, appropriation bills were laden with riders involving legislation which he could not approve, but he firmly applied the veto. The futile attempt to "right" the alleged "fraud of 1877" by ripping up the Electoral Commission's work, kept Hayes before the country as the Republicans' man, incidentally doing much to advertise his sterling character. Refreshing decency marked all of Mr. Hayes's public doings. The men placed in office by him were, as a rule, the best available, chosen with the least possible regard to political influence, and, like all others in the civil service, they were required to abstain from active participation in political affairs. This policy enraged politicians, but, by immensely relieving the party from the odium into which it had fallen, aided to put it in condition for the campaign of 1880.

CHAPTER X.

"THE UNITED STATES WILL PAY"

Back to Hard Money—Act to Strengthen the Public Credit—Difficulty of Contraction—Ignorance of Finance—Debtors Pinched—The Panic of 1873—Causes—Failure of Jay Cooke & Co., and of Fiske & Hatch—Black Friday No. 2—On Change and on the Street—Bulls, Bears, and Banks—Criticism of Secretary Richardson—First Use of Clearing-House Certificates—Effects and Duration of the Panic—An Important Good Result—Resumption and Politics—The Resumption Act—Sherman's Qualifications for Executing It—His Firmness—Resumption Actually Begun—Magnitude and Meaning of this Policy—Our Bonded Debt Rapidly Reduced—Legal Tender Questions and Decisions—Juilliard *vs.* Greenman—The "Fiat-Greenback" Heresy—"Dollar of the Fathers" Demonetized—Not by Fraud, but Without Due Reflection—The Bland Bill and the "Allison Tip"—The Amended Bill Vetoed, but Passed—Subsequent Silver Legislation.

THE most momentous single deed of Mr. Hayes's Administration was the restoration of the country's finances, public and private, to a hard-money basis. On January 1, 1879, the United States began again the payment, suspended for more than sixteen years, of specie in liquidation of its greenback promises. The familiar legend upon our Treasury notes, "The United States will pay," became true at last. Our paper dollar had begun to sink below par so early as December 28, 1861, after which date it underwent the most painful fluctuations. On July 11, 1864, it was sixty-five per cent below par, thenceforward sinking and rising fitfully, but never reaching gold value again till the month of December, 1878.

The difficulties of replacing the country's business on a solid monetary platform had been foreseen as soon as the subject loomed into view. Senator Sherman, upon whom finally fell the main burden of carrying the operation through, wrote in 1868: "I am in real embarrassment about

questions that I must now act upon. My conviction is that specie payments must be resumed, and I have my own theories as to the mode of resumption, but the process is a very hard one and will endanger the popularity of any man or administration that is compelled to adopt it.”

The very first act of the Forty-first Congress was one entitled “An Act to strengthen the public credit.” Introduced in the House by General Schenck on March 12, 1869, it there passed on that day, reaching the Senate on the 15th, where also it speedily passed. On the 19th this memorable bill became law. It ran:

“That, in order to remove any doubt as to the purpose of the Government to discharge all just obligations to the public creditors, and to settle conflicting questions and interpretations of the laws by virtue of which said obligations have been contracted, it is hereby provided and declared that the faith of the United States is solemnly pledged to the payment in coin, or its equivalent, of all obligations of the United States not bearing interest, known as United States notes, and of all interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations has expressly provided that the same may be paid in lawful money or other currency than gold or silver. . . . And the United States also solemnly pledges its faith to make provision, at the earliest practicable period, for the redemption of the United States notes in coin.”

However necessary to final prosperity, the contraction of our currency was a sore process, and it encountered at every stage the most bitter opposition. The war left us, as it found us, with painfully little grasp on the principles of money. Men of one type felt that low or falling prices, however caused, meant prosperity; another class attached this meaning to high prices, however caused. Few reflected enough to see that great and solid prosperity may attend rising prices, as between 1850 and 1870, or that, on the other hand, prices may be going down and yet greater effort be

required to obtain the necessaries of life. The generally conceded desirableness of replacing business upon a precious-metal basis, whatever hardship in lowered values this might cost those whose property consisted of goods or lands and not of money, misled many, even after the gold platform was reached, to hail each drop in general prices with hallelujahs. Eastern people and the creditor class elsewhere were usually in this frame of mind.

Far different felt those, so numerous throughout the West, who had run in debt when rank inflation was on, and who, tied to their mortgaged farms, were compelled to produce against a constantly falling market. They writhed under the pinch, and more or less correctly understood the philosophy of it. A Montgomery County, Pa., farmer once went into a store in Norristown and bought a suit of clothes. The storekeeper said: "That is the cheapest suit of clothes you ever bought." "Oh, no," said the farmer, "this suit cost me twenty bushels of wheat. I have never paid over fifteen bushels of wheat for a suit of clothes before."

The panic of 1873, so far as it resulted from contraction, had its main origin abroad, not in America, so that its subordinate causes were generally looked upon as its sole occasion; yet these bye causes were important. The shocking destruction of wealth by fires and by reckless speculation, of course had a baneful effect. During 1872 the balance of trade was strongly against the United States. The circulation of depreciated paper money had brought to many an apparent prosperity which was not real, leading to the free creation of debts by individuals, corporations, towns, cities, and States. An unprecedented mileage of railways had been constructed. Much supposed wealth consisted in the bonds of these railroads and of other new concerns, like mining and manufacturing corporations. Thus the entire business of the country was on a basis of inflation, and when contraction came disaster was inevitable.

In the course of the summer solid values began to be

hoarded and interest rates consequently to rise. In August there was a partial corner in gold, broken by a Government sale of \$6,000,000. In September panic came, with suspension of several large banking-houses in New York. Jay Cooke & Co., who had invested heavily in the construction of the Northern Pacific Railway, suspended on September 18th. When authoritative news of this event was made known in the Stock Exchange a perfect stampede of the brokers ensued. They surged out of the Exchange, tumbling pell-mell over each other in the general confusion, hastening to notify their respective houses. Next day, September 19th, Fiske & Hatch, very conservative people, went down.

September 19th was a second Black Friday. Never since the original Black Friday had the street and the Stock Exchange been so frantic. The weather, dark and rainy, seemed to sympathize with the gloom which clouded the financial situation. Wall, Broad, and Nassau Streets were thronged with people. From the corner of Wall Street and Broadway down to the corner of Hanover Street a solid mass of men filled both sidewalks. From the Post-office along Nassau Street down Broad Street to Exchange Place another dense throng moved slowly, aimlessly, hither and thither. Sections of Broadway itself were packed. Weaving in and out like the shuttles in a loom were brokers and brokers' clerks making the best speed they could from point to point. All faces wore a bewildered and foreboding look. To help them seem cool, moneyed men talked about the weather, but their incoherent words and nervous motions betrayed their anxiety. The part of Wall Street at the corner of Broad Street held a specially interested mass of men. They seemed like an assemblage anxiously awaiting the appearance of a great spectacle. High up on the stone balustrade of the Sub-Treasury were numerous spectators, umbrellas sheltering them from the pelting rain as they gazed with rapt attention on the scene below. All the brokers' offices were filled. In each, at the first click of the indicator, everybody,

present was breathless, showing an interest more and more intense as the figures telegraphed were read off.

It was half-past ten in the morning when the Fiske & Hatch failure was announced in the Stock Exchange. For a moment there was silence; then a hoarse murmur broke out from bulls and bears alike, followed by yells and cries indescribable, clearly audible on the street. Even the heartless bear, in glee over the havoc he was making, paused to utter a growl of sorrow that gentlemen so honorable should become ursine prey. The news of the failure ran like a prairie fire, spreading dismay that showed itself on all faces. Annotators of values in the various offices made known in doleful ticks the depreciation of stocks and securities. Old *habitués* of the exchanges, each usually placid as a moonlit lake, were wrought up till they acted like wild men.

At the corner of Broad Street and Exchange Place a delirious crowd of money-lenders and borrowers collected and tried to fix a rate for loans. The matter hung in the balance for some time until the extent of the panic became known. Then they bid until the price of money touched one-half of one per cent a day and legal interest. One man, after lending \$30,000 at three-eighths per cent, said that he had \$20,000 left, but that he thought he would not lend it. As he said this, he turned toward his office, but was immediately surrounded by about twenty borrowers who hung on to his arms and coat-tails till he had agreed to lend the \$20,000.

The Stock Exchange witnessed the chief tragedy and the chief farce of the day. Such tumult, push and bellowing had never been known there even in the wildest moments of the war. The interior of the Exchange was of noble altitude, with a vaulting top, brilliantly colored in Renaissance design, that sprang upward with a strength and grace seldom so happily united. A cluster of gas-jets, hanging high, well illuminated the inclosure. On the capacious floor, unobstructed by pillars or by furniture, save one small table whereon a large basket of flowers rested, a mob of brokers and brokers' clerks surged back and forth, filling the im-

mense space above with roars and screams. The floor was portioned off to some twenty different groups. Here was one tossing "New York Central" up and down; near by another playing ball with "Wabash"; "Northwestern" jumped and sank as if afflicted with St. Vitus's dance. In the middle of the floor "Rock Island" cut up similar capers. In a remote corner "Pacific Mail" was beaten with clubs, while "Harlem" rose like a balloon filled with pure hydrogen. The uninitiated expected every instant to see the mob fight. Jobbers squared off at each other and screamed and yelled violently, flinging their arms around and producing a scene which Bedlam itself could not equal.

Behind the raised desk, in snowy shirt-front and necktie, stood the President of the Exchange, his strong tenor voice every now and then ringing out over the Babel of sounds beneath. The gallery opposite him contained an eager throng of spectators bending forward and craning their necks to view the pandemonium on the floor. The rush for this gallery was fearful, and apparently, but for the utmost effort of the police, must have proved fatal to some. Excitement in Wall Street not infrequently drew crowds to the main front of the Exchange; but hardly ever, if ever before, had the vicinity been so packed as now. Two large blackboards exhibited in chalk figures the incessantly fluctuating quotations. Telegraph wires connected the Exchange with a thousand indicators throughout the city, whence the quotations, big with meaning to many, were flashed over the land.

The first Black Friday was a bull Friday; the second was a bear Friday. Early in the panic powerful brokers began to sell short, and they succeeded in hammering down from ten to forty per cent many of the finest stocks like "New York Central," "Erie," "Wabash," "Northwestern," "Rock Island," and "Western Union." They then bought to cover their sales. Bull brokers, unable to pay their contracts, shrieked for margin money, which their principals would not or could not put up. They also sought relief from the banks, but in vain. It had long been the practice of cer-

tain banks, though contrary to law, early each day to certify checks to enormous amounts in favor of brokers who had not a cent on deposit to their credit, the understanding in each case being that before three o'clock the broker would hand in enough cash or securities to cancel his debt. The banks now refused this accommodation. In the Exchange, eighteen names were read off of brokers who could not fulfil their contracts. As fast as the failures were announced the news was carried out on to the street. In spite of the rain hundreds of people gathered about the offices of fallen reputation, and gazed curiously through the windows trying to make out how the broken brokers were behaving. Toward evening, as the clouds lifted over Trinity spire, showing a ruddy flush in the west, everybody, save some reluctant bears, said, "The worst is over," and breathed a sigh of relief. The crowd melted, one by one the tiny little Broadway coupés rattled off, one by one the newsboys ceased shrieking, and night closed over the wet street.

In deference to a general wish that dealings in stocks should cease, the Exchange was shut on Saturday, September 20th, and not opened again till the 30th. Such closure had never occurred before. On Sunday morning President Grant and Secretary Richardson, of the Treasury, came to New York, spending the day in anxious consultation with Vanderbilt, Clews, and other prominent business men.

Had the Secretary of the Treasury acted promptly and firmly he might have relieved the situation much; but he vacillated. Some \$13,500,000 in five-twenty bonds were bought, and a few millions of the greenbacks which Secretary McCulloch had called in for cancellation were set free. But as Mr. Richardson announced no policy on which the public could depend, most of the cash let loose was instantly hoarded in vaults or used in the purchase of other bonds then temporarily depressed, so doing nothing whatever to allay the distress. On the 25th the Treasury ceased buying bonds. The person who, at the worst, sustained the market and kept it from breaking to a point where half of the

street would have been inevitably ruined, was Jay Gould, mischief itself on the first Black Friday, but on this one a blessing. He bought during the low prices several hundred thousand shares of railroad stocks, principally of the Vanderbilt stripe, and in this way put a check on the ruinous decline.

The national banks of New York weathered this cyclone by a novel device of the Clearing-house or associated banks. These pooled their cash and collaterals into a common fund, placed this in the hands of a trusty committee, and issued against it loan certificates that were receivable at the Clearing-house, just like cash, in payment of debit balances. Ten million dollars' worth of these certificates was issued at first, a sum subsequently doubled. This Clearing-house paper served its purpose admirably. By October 3d confidence was so restored that \$1,000,000 of it was called in and canceled, followed next day by \$1,500,000 more. None of it was long outstanding. The Clearing-house febrifuge was successfully applied also in Boston, Philadelphia, Pittsburg, and other cities, but not in Chicago.

The panic overspread the country. Credit in business was refused, debtors were pressed for payment, securities were rushed into the market and fell greatly in price. Even United States bonds went down from five to ten per cent. There was a run upon savings banks, many of which succumbed. Manufactured goods were little salable, and the prices of agricultural products painfully sank. Factories began to run on short time, many closed entirely, many corporations failed. The peculiarity of this crisis was the slowness with which it abated, though fortunately its acute phase was of brief duration. No date could be set as its term, its evil effects dragging on through years.

In convincing multitudes, as it did, of the imperative necessity of replacing our national finances on a coin foundation, this panic was worth all it cost. It was influential in uniting the friends of sound finance and of national honesty upon the resumption policy. Men saw that this policy, how-

U. S. VOL. 8.—10.

ever hard to enter upon, however disastrous in the execution, however sure of terrible opposition at every step, must succeed, and could not but bring lasting credit to the political party bold enough to espouse and push it. At first the resumption plan divided both parties; but, little by little, the Republicans came generally to favor it, the Democrats, some in one way and some in another, to gainsay.

The policy and the details of resumption were hotly debated all through the Presidential campaign of 1876. Many opposed return to specie from ignorance of its meaning. Some thought that after resumption no paper money of any kind would be in circulation, or at least that all greenbacks would be gone. Most, even of such as favored it, probably expected that resumption would involve paying out by the Government of almost unlimited sums in gold. Few, comparatively, could see that it consisted merely in bringing United States notes to gold par and keeping them there. Mr. Tilden would assign this work to the domain of "practical administrative statesmanship." Like all other Democrats, he urged "a system of preparation" for resumption in place of the Republican Resumption Act. "A system of preparation without the promise of a day, for the worthless promise of a day without a system of preparation would be the gain of the substance of resumption in exchange for its shadow." In reply it was maintained that "the way to resume was to resume." This thought fortunately determined the policy of the country and was justified by the event.

The Resumption Act, passed January 14, 1875, had set a date for resumption—four years ahead, January 1, 1879. The first section provided for the immediate coinage of subsidiary silver to redeem the fractional currency. This was practicable, as the now low gold price of that metal rendered possible its circulation concurrently with greenbacks. The master-clause of the act authorized the Secretary to buy "coin" with any of his surplus revenues, and for the same purpose "to issue, sell, and dispose of bonds of the United

States." It was fortunate that Mr. Sherman, who as Senator had drafted the measure, was, as Secretary of the Treasury in the Hayes Cabinet, called to execute it.

Ever since 1859 his connection with the Committee of Ways and Means in the House and with the Committee on Finance in the Senate had brought him into close official relations with the Treasury Department. This legislative training gave him a full knowledge of the several laws that were to be executed in relation to public revenue, to all forms of taxation, to coinage and currency, and to the public debt. The entire system of national finance then existing grew out of the Civil War, and Mr. Sherman had participated in the passage of all the laws relating to this subject. His intimate association with Secretaries Chase, Fessenden, and McCulloch, and his friendly relations with Secretaries Boutwell and Richardson, led him, as Chairman of the Senate Committee on Finance, to have free and confidential intercourse with them as to legislation affecting the Treasury. Though a good lawyer and an able man, Secretary Bristow had not had the benefit of experience either in Congress or in the Department. He doubted whether resumption would be effective without a gradual retirement of United States notes, a measure to which Congress would not agree, repealing even the limited retirement of such notes provided for by the Resumption Act. Secretary Morrill, Sherman's immediate predecessor, was in hearty sympathy with the policy of resumption, but his failing health had kept him from that efficiency as Secretary which he would otherwise have displayed. For some time before the end of his term in the Treasury, illness had confined him to his lodgings. The Treasury Department was, however, well organized, most of its chief officers having been long in service. But few changes here were made under Hayes, and only as vacancies occurred or incompetency was demonstrated.¹

¹ John Sherman's "Recollections," pp. 565, 566.

In resolutely preparing for resumption, spite of cries that it was impossible, or, if possible, certain to be ruinous and deadly, Sherman, whom many had thought timid and vacillating, evinced the utmost strength of will. The Democracy was for the most part adverse to all effort for immediate resumption, favoring, rather, an enlarged issue of Treasury notes. The elections of 1877 and 1878, generally either Democratic or Republican by lowered majorities, would have made many an Administration retreat or pause. Opposition to the party in power was of course due in part to the wide belief that Hayes had been jockeyed into the Presidency, and in part to the great railway strikes, where the President had promptly suppressed criminal disorder by the use of Federal arms. Clearly, however, very much of it arose from the Administration's avowal that the Resumption Act "could be, ought to be, and would be executed if not repealed."

In the advertising and placing of his loans, Mr. Sherman showed himself a master in big finance. By the sale of four-and-a-half per cent bonds, callable in 1891, he had, before the appointed day, accumulated an aggregate of \$140,000,000 gold coin and bullion, being forty per cent of the then outstanding greenbacks. Partly owing to several abundant harvests, throwing the balance of European trade in our favor and crowding gold this way, resumption proved easier than any anticipated. The greenbacks rose to par thirteen days before the date fixed for beginning gold payments. Rumors were rife of a conspiracy to "corner" gold, and to make a run on the Sub-Treasury New Year's day, 1879, the day for beginning resumption. On the 30th of December, 1878, the president of the National Bank of Commerce and chairman of the Clearing-house committee, begged for \$5,000,000 in gold in exchange for a like amount of United States notes on the following day, a proposition which was forthwith declined. "The year closed with no unpleasant excitement, but with unpleasant forebodings. The first day of January was Sunday and no business was transacted. On Monday,

anxiety reigned in the office of the Secretary. Hour after hour passed; no news came from New York. Inquiry by wire showed that all was quiet. At the close of business came this message: '\$135,000 of notes presented for coin—\$400,000 of gold for notes.' That was all. Resumption was accomplished with no disturbance. By five o'clock the news was all over the land, and the New York bankers were sipping their tea in absolute safety. The prediction of the Secretary had become history. When gold could with certainty be obtained for notes, nobody wanted it. The experiment of maintaining a limited amount of United States notes in circulation, based upon a reasonable reserve in the Treasury pledged for that purpose, and supported also by the credit of the Government, proved generally satisfactory, and the exclusive use of these notes for circulation may become, in time, the fixed financial policy of the Government."¹

The straggling applications for coin made when resumption day arrived were less in amount than was asked for in greenbacks by bondholders, who could in any event have demanded coin. During the entire year 1879 only \$11,456,536 in greenbacks were offered for redemption, while over \$250,000,000 were paid out in coin obligations. It was found that people preferred paper to metal money, and had no wish for gold instead of notes when assured that the exchange could be made at their option. Notwithstanding our acceptance of greenbacks for customs—\$109,467,456 during 1879—the Treasury at the end of that year experienced a dearth of these and a plethora of coin, having actually to force debtors to receive hard money.

The magnitude and meaning of the financial policy thus launched can hardly be overestimated. The nation had piled up a war debt amounting to the enormous sum of \$2,844,649,626. This figure, the highest which the debt ever attained, was reached in August, 1865. Many people at home and in

¹ J. K. Upton, in "Scribner's Magazine," July, 1892.

other countries thought that amounts so vast as were called for could never possibly be paid. When we began borrowing, the London "Economist" declared it "utterly out of the question for the Americans to obtain the extravagant sums they asked," saying: "Europe *won't* lend them; Americans *can not*." The Washington agent of the London bankers through whom our Government did foreign business, after the battle of Bull Run called at the Treasury on Sunday to get his "little bill" settled, having the effrontery to ask the acting Secretary, Mr. George Harrington, to give security that the balance, about \$40,000, would be paid. Mr. Harrington directed the anxious Englishman to wait, as the Government would probably not break up before business hours next day. The London "Times" declared: "No pressure that ever threatened is equal to that which now hangs over the United States, and it may safely be said that if in future generations they faithfully meet their liabilities, they will fairly earn a fame which will shine throughout the world." In March, 1863, concluding an article on Secretary Chase's stupendous operations, the same newspaper exclaimed: "What strength, what resources, what vitality, what energy there must be in a nation that is able to ruin itself on a scale so transcendent!"¹

No nation ever took a braver course than did the United States in deliberately beginning the reduction of that enormous war debt. The will to reduce it opened the way, and the payment went on by leaps and bounds. The policy was to call in high-rate bonds as soon as callable, and replace them by others bearing lower rates. So immense was the Government's income that to have set so late a date as 1891 for the time when the four-and-a-halves could be canceled proved unfortunate. To fix for the maturity of the fours so remote a date as 1907 was worse still. The three-per-cents of 1882, which supplanted earlier issues, were wisely made payable at the Government's option. For the twenty-three

¹ Shuckers, "Life of S. P. Chase," pp. 225, 226.

years beginning with August, 1865, the reduction proceeded at an average rate of a little under \$63,000,000 yearly, which would be \$5,250,000 each month, \$175,000 each day, \$7,-291 each hour, and \$121 each minute.

An act of Congress passed February 25, 1862, had authorized the issue of \$150,000,000 in non-interest-bearing Treasury notes. These notes had no precedent with us since colonial times. Neither receivable for duties nor payable for interest on the public debt, they were yet legal tender for all other payments, public and private. As the Government paid its own debts with them they amounted to a forced loan.

The legal-tender clause of the 1862 law roused bitterest antagonism. The press ridiculed it, in some cases being refused the use of the mails for that reason. "The financial fabric of the Union totters to its base," said a leading journal. Secretary Chase himself, the father of the greenback, afterward, as Chief Justice, pronounced the law unconstitutional. This was his judgment from the first, and he overrode it, after painful deliberation, only because such a course seemed absolutely necessary to save the nation. Mr. Lincoln is said to have aided his Secretary at this crisis by the parable of the captain who, his ship aleak, worse and worse in spite of his prayers to the Virgin, threw her image overboard, and, having successfully made port and docked his vessel for repairs, found the image neatly filling the hole where the water had come in. Both deemed it patriotic to make jetsam of the Constitution if thereby they might bring safe into port the leaky ship of state, in danger of being engulfed in the mad ocean of civil war.

Thus the issue of legal-tenders began under the pressure of urgent necessity. From first to last \$450,000,000 of this paper had been voted, whereof, on January 3, 1864, \$449,-338,902 was outstanding. Specie payments were suspended two days before the introduction of the legal-tender act. Gold went to a premium while that act was under discussion, remaining so till just before resumption, January 1, 1879.

Even the subsidiary silver coinage disappeared, and Congress was obliged to issue fractional paper currency, "shin-plasters," in its stead.

Several Constitutional questions were connected with the greenback. In *Hepburn vs. Griswold* (8 Wall., 603) the Court held, four¹ Justices against three, that, while the act of February 25, 1862, might, as a war measure, be valid, making greenbacks legal tender for debts contracted after its passage, yet, so far as its provisions related to pre-existing debts, it was inconsistent with the Constitution, not being a "necessary" or "proper" means to any end therein authorized. In *Parker vs. Davis* (12 Wall., 457), the *personnel* of the Court having been changed by the resignation of Justice Grier and the appointment of Justices Bradley and Strong, though Chase, Clifford, and Field strenuously maintained their former views, the *Hepburn vs. Griswold* decision was reversed. That case, the Court now said, "was decided by a divided Court," having fewer Judges "than the law then in existence provided that this Court shall have. These cases have been heard before a full Court, and they have received our most careful consideration." Justice Bradley, whom in the judgment of Senator Hoar, "the general voice of the profession and of his brethren of the bench would place at the head of all then living American jurists," concurred with the majority in a separate opinion of his own, at once elaborate and emphatic. In the famous case of *Juilliard vs. Greenman* (110 U. S. Reports, 421) a third question was tried out, namely, whether Congress has the Constitutional power to make United States Treasury notes legal tender for private debts in peace as well as in war. The decision was again in favor of the greenback, Field being the only Justice to register dissent.

Though this was the first decision of the question arrived at by strictly legal reasoning, it evoked much hostile criti-

¹ Or five if Grier be counted. He agreed with the majority, but resigned before the opinion was announced.

cism. "The Financial Chronicle" said: "All reliance upon Constitutional inhibition to do anything with the currency which Congress may have a whim to do must be abandoned henceforth and forever." The historian Bancroft vented a formidable brochure, richer in learning than in law, entitled "The Constitution Wounded in the House of its Friends." The Court's logic, however, was not easily controverted. It closely followed John Marshall's reasoning in *McCulloch vs. Maryland*.¹ An enactment by Congress the Supreme Court presumes to be Constitutional unless it is certainly unconstitutional. If there is doubt upon the point there is no doubt. Congress is right. The authority "to emit bills of credit" as legal tender was not expressly delegated to the Federal Government, but it may well claim place in the goodly family of "implied powers," apparently being implied by its prohibition to the States, or involved in the power to borrow money, or in that to regulate commerce. Again, if Congress could pass such a law to meet an exigency, as held in *Parker vs. Davis*, Congress must be left to determine when the exigency exists. The intention of the Fathers to inhibit bills of credit can not be conclusively shown. Even if it were certain it would be inconclusive; the question being not what they intended to do, but what they actually did in framing and ratifying the Constitution.

The wisdom of the legal-tender law is a different question, but, like the other, should not be pronounced upon without reflection. It was easy to condemn it after the event. No doubt, had conditions favored, more might have been done, saving millions of debt and half the other financial evils of war, to keep the dollar at gold par, as by not compelling gold payment of the seven-thirty bonds, by heavier tax levies, by earlier resort to large loans, even at high rates, instead of emitting legal-tenders, and also by forcing national banks, created on purpose to help market bonds, to purchase new ones directly from the Government. Yet, under the cir-

¹ 4 Wheaton, p. 421.

cumstances, such defects in our policy early in the war could hardly have been avoided, so uncertain were national spirit and credit then, and so little were the magnitude and duration of the war foreseen. When the old demand notes were issued, more than one professedly loyal railroad corporation refused them in payment of fares and freight. Hotels were shy of them. A leading New York bank refused to receive them save as a special deposit, though these notes, being receivable for customs, like coin, went to a premium along with gold. One depositor in the bank just referred to found on withdrawing his deposit that his notes as reckoned in legal tender¹ had advanced in value nearly or quite one hundred and fifty per cent. People being so shy of the demand notes, what wonder that the greenbacks, which bore no interest, were long in ill repute.

The nation's resolute purpose to reduce its debt changed this. When equal to gold, greenbacks were glorified, and all thoughts of retiring them gave way. In 1865 Secretary McCulloch had boldly recommended the calling in of greenback notes in preparation for the restoration of specie. The people were then willing to submit to this. The act of March 12, 1866, authorized the cancellation of \$10,000,000 or less within six months, and thereafter of \$4,000,000 or less each month. By this method the amount was by the end of 1867 cut down to \$356,000,000, but the act of February 4, 1868, forbade any further decrease. Between March 17, 1872, and January 15, 1874, the amount was raised some \$25,000,000, but a bill passed in 1874, known as the "inflation bill," still further to increase it, was vetoed by President Grant. June 20, 1874, the maximum greenback circulation was placed at \$382,000,000, which the operation of the Resumption Act in 1875 brought down to \$346,681,000, letting the gap be filled by national bank notes. All further retirement or cancellation of legal-tenders was forbidden by the act approved May 31, 1878, which provided, in part, that "it shall not be law-

¹ Shuckers, "Life of S. P. Chase," p. 225.

ful . . . to cancel or retire any more of the United States legal-tender notes. And when . . . redeemed or received into the Treasury . . . they shall be reissued and paid out again and kept in circulation." Secretary Sherman recommended the passage of this law, as he believed that the retirement of greenbacks pending the preparation for resumption, by reducing the volume of the currency, increased the difficulties of resumption.

This popularity of the greenbacks stimulated to fresh life the "fiat-greenback" theory, whose pith lay in the proposition that money requires in its material no labor-cost value, its purchasing power coming from the decree of the public authority issuing it, so that paper money put forth by a financially responsible Government, though involving no promise whatever, will be the peer of gold. People who held this view opposed all resumption, proximate or remote, wishing to print United States dollar notes each bearing the legend "This is a Dollar," and notes of other denominations similarly, not allowing any of them to *promise* payment or to have any other relation whatever to coin. This idea was long very influential throughout States so conservative as Illinois, Indiana, and Ohio, where, in several campaigns, the able stump addresses of men like Garfield, Schurz, and Stanley Matthews laid it pretty well to rest. It was, however, the rallying thought of the National Labor Greenback party, organized at Indianapolis, May 17, 1876, when it nominated Peter Cooper for the Presidency. On the very day that resumption went into effect a Greenbacker Convention in New England declared it the paramount issue of their party to substitute greenbacks for national bank notes.

The old silver dollar, "the Dollar of the Fathers," had never ceased to be full legal tender until 1873, although it had since 1853 been, as compared with the gold dollar, too valuable to circulate much. In 1873 a law was unobservedly passed demonetizing it, and making gold the exclusive form of United States full-tender hard money.

That legislation of such importance should have passed

without general debate, either in Congress or by the public, was unfortunate; but, contrary to a very prevalent view, there is no evidence that a single Congressional vote for it was secured by fraud. Little silver had been coined by the United States since 1834. The monetary problem of 1873 was not that of subsequent years. Then, simplicity of monetary system was considered the great desideratum, whereas, with discussion, authorities came to agree that adequacy in volume is the most important trait in a hard-money system. In 1873 gold had been for twenty years pouring out of the earth in immense sums, rendering not unnatural the expectation that it alone, without silver, would soon suffice for the world's hard-money stock. Such was then the judgment of the leaders of public opinion in all lands. It was the view of the Paris Conference in 1867, which recommended the general demonetization of silver—a recommendation extremely influential in determining to a gold policy the German Empire, whose course toward silver in 1873 was identical with ours.

European opinion on the subject was known and concurred in here. At intervals ever since 1816 representative Americans had suggested that we should adopt Great Britain's metallic money system. In his report of November 29, 1851, the Director of our Mint declared the "main features" of that system "eminently worthy of adoption into the monetary policy of our own country." Hon. Thomas Corwin, of Ohio, then Secretary of the Treasury, whom no one will charge with obsequiousness to England or to the Money Power at home, in his Report of January 6, 1852, seconded the recommendation of the Director of the Mint, carefully setting forth the argument for adopting it. To the act of 1873 the Senators from Oregon, California, and Nevada unanimously agreed. At the 1867 Paris Conference the United States was (by delegates) present as a gold country, Mr. Seward, then Secretary of State, being responsible for this, though no one protested. Inspired by such example and by the recommendation of the Conference, the Secretary of

our Treasury, in 1870, drafted the bill discontinuing the silver dollar, which passed the Senate early in 1871 and became a law in 1873.

But, while one must thus discredit the allegation of fraud and of sinister motive in this legislation, it nevertheless seems clear that the silver people and the entire country had a grievance in connection with it. “No man in a position of trust has a right to allow a measure of such importance to pass without calling attention sharply to it, and making sure that its bearings are fully comprehended. And no man who did not know that the demonetization of silver by the United States was a measure of transcendent importance had any right to be on such a committee or to put his hand to a bill which touched the coinage of a great country. Every one knows that but few members upon the floor of Congress read the text of one in twenty of the bills they have to pass upon; and it is the duty of the committees dealing with any class of subjects to see to it that every proposed change is fully explained, and that the attention of the House and of the country is fairly called to it. They are not discharged of their obligations simply by giving members an opportunity to find it out for themselves. If this be a requirement of ordinary political honesty, much more is it the dictate of political prudence. An important change in the money or in the industrial system of a nation, if effected without full and free and thorough discussion, even though no surprise or concealment be used, is almost certain to be subsequently challenged. ‘Things,’ says Bacon, ‘will have their first or second agitation: If they be not tossed upon the waves of counsel, they will be tossed upon the waves of fortune, and be full of inconstancy, doing and undoing, like the reeling of a drunken man.’ The unwisdom of a few people assuming to be wise for the whole of a great people, was never more conspicuously shown than in the demonetization of the silver dollar.”¹

¹ Francis A. Walker.

An increased value attaching to gold was soon apparent, or, what is the same thing, a general fall in prices. This began so soon as silver full money had been laid aside, silver falling in gold price almost exactly as products at large fell. In view of this movement, since all Government bonds outstanding in 1873 were payable in "coin," it was a nearly universal belief in most sections of the country that the annulment of the right to pay debts in silver would, if persisted in, be very unjust to taxpayers in liquidating the national debt. The Bland Bill was therefore brought forward, and in 1878 passed, restoring silver again to its ancient legal equality with gold as debt-paying money. A clause of it read: "Any owner of silver bullion may deposit the same at any coinage mint or assay office to be coined into dollars, for his benefit, upon the same terms and conditions as gold bullion is deposited for coinage under existing laws." In the act as finally passed, however, so great was now the disparity in value between gold and silver at the ratio of 16 to 1, Congress did not venture to give back to the white metal the right of free coinage. In the Senate, at the urgent request of Secretary Sherman, the "Allison tip," as it was called, was incorporated in the bill, requiring the Secretary of the Treasury to purchase monthly not less than two million dollars' worth of silver, or more than four million dollars' worth, and to coin it into dollars. This amendment was concurred in by the House. Spite of Secretary Sherman's attitude in favor of it the Bland-Allison Act was disapproved by President Hayes, but immediately passed over his veto by both Houses of Congress on the same day, February 28, 1878. The Senate vote was 46 yeas to 19 nays; that of the House 196 to 73.

The advocates of gold monometallism believed that the issue of these dollars would speedily drive gold from the country. Owing to the limitation of the new coinage no such effect was experienced, and the silver dollars or the certificates representing them floated at par with gold, which, indeed, far from leaving the country, was imported in vast

amounts nearly every year. After 1880 the money in circulation in the United States was gold coin, silver coin, gold certificates, greenbacks or United States notes, and the notes of the national banks. The so-called Sherman Law, of 1890, added a new category, the Treasury notes issued in payment for silver bullion. It stopped the compulsory coinage of full-tender silver, though continuing and much increasing the purchase of silver bullion by the Government. The repeal of the purchase clause of this law, in 1893, put an end to the acquisition of silver by the United States.

CHAPTER XI.

AGRARIAN AND LABOR MOVEMENTS IN THE SEVENTIES.

The "Grangers"—Their Aims—Origin of the Inter-State Commerce Act—Demand for Cheap Transportation—Illinois's "Three-Cent War"—Court Decisions—Land-Grant Colleges—Their Significance—Various Labor Congresses and Platforms—Rise of Labor Bureaus—The National Department of Labor—Its Work, Methods, and Influence—Value of the State Bureaus—Contract-Labor Law—The Greenback Party—Peter Cooper and Gen. Butler—Violence in the Labor Conflict—Causes—Combinations of Capital—Of Laborers—Black List and Boycott—Labor War in Pennsylvania—Methods of Intimidation—The "Molly Maguires"—Murder of Alexander Rea—Power and Immunity of the Mollies—Plan for Exposing Them—Gowen and McParlan—Assassination of Thomas Sanger—Gowen's Triumph and the Collapse of the Conspiracy—Great Railway Strike in 1877—Riot at Pittsburgh—Death and Destruction—Scenes at Reading and Other Places—Strikes Common from this Time On.

THE complaints evoked by industrial depression were in due time echoed in politics. Agrarian movements and labor movements in great numbers—social phenomena at first, but rapidly evolving political significance—marked the times. One of these, the California Sand Lot Campaign, because of its close connection with the Chinese question, is deferred for discussion to Chapter XIII. The "Grangers," or "Patrons of Husbandry," was a secret organization for the promotion of farmers' interests. It was founded at Washington, December 4, 1867, women as well as men being members. In 1868, there were but 11 granges. The total membership of the order by 1875, six years from the time when local granges began to be formed, was 1,500,000, distributed throughout nearly all the States, though most numerous in the West and South.

The central aim of Granger agitation at first was to secure better transportation and lower freight rates, particularly from the West to the East. After waiting for railway

facilities to be developed, the shippers of grain and beef found themselves, when railways were at last supplied, hardly better off than before. The vast demand for transportation sent freight charges up to appalling figures. All sorts of relief devices were considered, among them a project for opening canal and slack-water navigation between the Mississippi and the Atlantic Coast. This was earnestly urged by the Southern Commercial Convention at Cincinnati in 1870.

The difficulties of freight transportation between the States was discussed at length by Congress, spite of railway attorneys' insistence that the subject was beyond Congressional control. In the House of Representatives, during January, 1874, Hon. G. W. McCrary, Chairman of the Committee on Railroads and Canals, made an exhaustive report affirming the constitutional power of Congress to regulate interstate commerce. This valuable paper laid bare, in Section 8, Article I., of the Constitution, a depth of meaning which, till then, few had suspected, a discovery that prepared the way for the Interstate Commerce Act, passed on February 4, 1887.

A National Cheap Transportation Association was organized in New York on May 6, 1873, which also demanded lower transportation rates and an increase of avenues for commerce by water and rail. Its manifesto to the public asserted that cheap transportation for persons and property is essential to the public welfare and to the maintenance of a homogeneous and harmonious population. Another Cheap Transportation Convention was held in Richmond, December 1-4, 1874, which petitioned Congress in this interest.

Discrimination in freight charges was a fruitful source of discontent. In Illinois a dispute known as the "Three-Cent War" intensified feeling against railroads. This particular trouble was the outgrowth of the Illinois Central's disregard of an order issued by the Illinois Railroad Commissioners, limiting passenger fares to three cents per mile. The Commissioners' decree having been found contrary to the State

Constitution, the Legislature passed a law to limit fares. This the railroads fought with all energy in both State and Federal Courts. In November, 1875, in the case of the people against the Chicago and Alton Railroad Company, the United States Circuit Court handed down a decision sustaining the constitutionality of the law. Several "Granger" cases went to the national Supreme Court, which affirmed a State's right to fix maximum railway charges.

An interesting line of educational development, though originating otherwise, at length became connected with the general agrarian movement here under review. On July 2, 1862, President Lincoln put his signature to an act which had just passed Congress, donating public land to the several States and Territories which might provide colleges for instruction in branches of learning bearing on agriculture and the mechanic arts. By this act every State became entitled to 30,000 acres of Government land for each Senator and Representative falling to it by the apportionment under the census of 1860. States containing no United States land received land scrip, entitling them, not directly but through their assignees, to locate and sell the amounts of land respectively due them. All the States and Territories in the Union, without a single exception, in the course of time, provided themselves with educational institutions on this basis. Some States sold the scrip early and realized little. Others carefully husbanded the scrip and became possessed of large sums, founding and sustaining educational institutions of vast usefulness and importance.

No State proceeded in this matter more discreetly than New York. Her share amounted to a million acres less ten thousand. Seventy-five thousand acres of this were sold at about eighty-five cents an acre. In the fall of 1863 Ezra Cornell purchased a hundred thousand acres for fifty thousand dollars, upon condition that all the profits accruing from the sale should be paid to Cornell University. Next year the rest was purchased at thirty cents an acre, with thirty cents more contingent upon Mr. Cornell's realizing

that sum upon sale of the land. In 1874 Cornell University was subrogated to Mr. Cornell's place in dealing with the State, and from the lands handed over by him the Board of Trustees had in 1894-95 realized a net return of nearly four million dollars.

On March 2, 1887, there was approved by the President of the United States another piece of land-grant legislation, known as the Hatch Act. This act was intended to diffuse "useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science." For these purposes each State received from the United States, by virtue of this act, the sum of \$15,000 a year, which was expended in connection with some agricultural experiment station or stations. The act presupposed that these stations would, as a rule, be established in conjunction with the institutions receiving the benefit of the act of 1862, and most of them were so associated; but the Hatch Act, in its 8th Section, provided that States electing so to do might join their experiment stations to agricultural schools separate from the colleges erected under the act of 1862, and this was done in a few States. By a third act of Congress, approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862," each of the States became entitled to \$15,000 for the year ending June 30, 1890, \$16,000 for the United States fiscal year 1890-91, \$17,000 for the next fiscal year, and so on, the sum increasing by \$1,000 each year, till it reached \$25,000 a year, which was the permanent annual appropriation. A good endowment in itself!

In the more fortunate sections of the country these Government grants simply made welcome additions to the excellent educational facilities in existence already. In the South and the far West they meant, educationally, life from the

dead. Good schools rose even upon the frontiers, where the children of poorest farmers and mechanics might, at a nominal cost, fit themselves for high stations in life. Large and fruitful experimentation, especially in agriculture, was made possible. In turn these colleges of agriculture and the mechanic arts became rallying centres for agrarian and populist interest, which involved them in politics, and at least in certain instances much hindered their usefulness.

In 1865 a Labor "Congress" was held at Louisville, with but twenty-five or thirty delegates. A second sat at Baltimore in August, the next year, whose proceedings attracted some attention. Labor agitation had by this time assumed considerable proportions, most, perhaps, in Massachusetts, where the Knights of St. Crispin throve so early as 1868. Able men and influential newspapers began to espouse the labor cause. The Congress of 1867 was held in Chicago, and it mooted a scheme of labor unions, city, county, and State. The Congress of 1868 was in New York, that of 1869 in Philadelphia. These marked little progress; but the National Labor Congress which met in Cincinnati, August 15, 1870, was said to represent four hundred thousand people. It demanded Treasury notes not based on coin, an eight-hour workday, the exclusion of Chinese laborers from the country, and the creation of a National Department of Labor.

Till now the movement was non-political, but the Chicago Congress, by a close vote, adopted a resolution creating an independent political organization to be known as the National Labor Reform Party. The party at once began to have influence. In the Massachusetts election of 1870 it fused with the Prohibitionists, making Wendell Phillips the candidate for Governor, who received nearly twenty-two thousand of the about one hundred and fifty-two thousand votes which were cast. One labor reformer was elected to the Massachusetts Senate, and eleven to the House. In 1871 the Congress met at St. Louis, August 10th. Little was done here beyond adopting a platform on which it was proposed to appeal to the country in the Presidential election of 1872.

This platform, slightly modified, was launched at the Columbus Convention, which met on February 21, 1872. Twelve States were represented. The Convention demanded as the nation's money, greenbacks not based on coin. A tariff taxing luxuries and protecting home industries, a law for an eight-hour labor-day, and the governmental control of railways and telegraphs were also insisted on. Hon. David Davis was nominated for the Presidency, but declined to run. Subsequently Charles O'Connor was named. The Forty-Second Congress, second session, discussed at length some of the Labor Party's proposals, but did nothing to realize any of them. An attempt was made to erect a Labor Commission, but for the present in vain. The first State Bureau of Labor Statistics had been established in 1869 in Massachusetts, where, as we have seen, the Labor Party showed exceptional strength. Pennsylvania followed in 1872, Connecticut in 1873-75. By the end of 1884 eleven other States had bureaus. From 1884 to 1894 thirteen more were erected. At last, by an Act of Congress, approved June 13, 1888, an independent Department of Labor was established by the Federal Government, a bureau with similar functions having existed in connection with the Interior Department since 1884.

The act of 1888 provided that the design and duty of the new department should be "to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity,"¹

¹ Section 7 of the act provides, more specifically, that the Commissioner "is specially charged to ascertain, at as early a date as possible, and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production, and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including the

Clothed with these powers the Commissioner undertook investigations into such matters as industrial depressions, convict labor, strikes and lockouts, the condition of working women in large cities, railroad labor, cost of production, wages, and cost of living abroad and in this country, prices, marriage, and divorce. The results of these investigations were rigidly verified both in copy and in proof, and scrutinized for internal discrepancies. The information was collected through personal interviews and statements directly from parties cognizant of the ultimate facts. The Department's special agents were generally accorded a kind reception, and more and more, as it appeared that no person's name was betrayed, were by manufacturers in this and in other countries given access to books and accounts. Estimates, hearsay, and opinions were wholly excluded from consideration, and the returns made upon carefully prepared schedules of inquiry in the hands of experts.

The American Department of Labor established its standing by its first report upon "Industrial Depressions," made with experienced help and in face of many difficulties. After experience, the Department maintaining a non-partisan and a

wages paid in such industries per day, week, month, or year, or by the piece; and hours employed per day; and the profits of the manufacturers and producers of such articles; and the comparative cost of living, and the kind of living. 'It shall be the duty of the Commissioner also to ascertain and report as to the effect of the customs laws, and the effect thereon of the state of the currency in the United States, on the agricultural industry, especially as to its effects on mortgage indebtedness on farmers;' and what articles are controlled by trusts, or other combinations of capital, business operations, or labor, and what effect said trusts or other combinations of capital, business operations, or labor have on production and prices. He shall also establish a system of reports by which, at intervals of not less than two years, he can report the general condition, so far as production is concerned, of the leading industries of the country. The Commissioner of Labor is also specially charged to investigate the causes of, and facts relating to, all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of the different States, and report thereon to Congress. The Commissioner of Labor shall also obtain such information upon the various subjects committed to him as he may deem desirable from different foreign nations, and what, if any, convict-made goods are imported into this country, and if so, from whence."

non-propagandist attitude, its reports came to be looked upon at home and abroad as the highest attainable evidence in their line. They were quoted in Parliament, in the Reichstag, and in the Chamber of Deputies. Foreign countries, notably England, France, Germany, and Belgium, established similar bureaus.

The State Labor Bureaus also well served the public, though the spoils system and the changeable gusts of local public opinion hindered their usefulness. One New York Commissioner was at one time thought to have used his office for partisan ends, but no other functionary of his class fell under such suspicion. On the contrary, practical good of the most pronounced sort was traceable in greater or less degree to these bureaus. The tenement-house evil and the sweat-shop, if not banished, were thoroughly advertised by them. Child labor laws, laws prescribing maximum hours of labor, and employers' liability laws were placed upon many statute books mainly through the bureaus' influence. Though not banished, the "truck" or "pluck-me" store, whereby the employer-store-owner, forcing his employees' patronage, left them hardly a dribble of wages, was rendered far less common than it had been. Weekly in place of monthly wage payments were made more common. Frauds upon laboring men and false labor statistics were exposed. Thus when in 1878 complaint was made that Massachusetts had from 200,000 to 300,000 unemployed in her borders, the State bureau showed this estimate to be exaggerated from seven to ten times. Similarly State labor statistics, subsequently corroborated by the census, in effect bisected certain wild estimates of mortgage indebtedness, pointing out that nine-tenths of this indebtedness indicated prosperity rather than poverty.

All welcomed the Act of Congress, approved August 3, 1882, forbidding convicts, lunatics, idiots, and paupers to enter the United States from other lands. Under this act, up to January 30, 1893, an average of about eleven hundred persons per annum, mostly paupers, were shipped back across the ocean. February 18, 1885, a stringent contract-labor law

was passed, making it unlawful for any person, company, or corporation to assist or encourage the immigration into the United States of any alien under contract or agreement previously made, every such contract to be void, and each violation of the law finable in the sum of \$1,000. An amendment passed in 1885 excepted professional actors, artists, lecturers, singers, persons employed strictly as domestic servants, and even skilled workmen for a new industry which could not be established without such. Also the law did not forbid a person from assisting to this country members of his or her family intending to settle here. The amendment referred to provided for the return of persons who had come to the United States on labor contracts before the law was passed. Under this provision nearly eight thousand persons had been up to 1888 sent back to Europe. During the fiscal year ending June 30, 1893, 464 persons were thus returned. New York State having voted a tax of fifty cents upon each immigrant landing in its ports, the money to be for the maintenance of an Immigration Commission, the United States Supreme Court declared the act unconstitutional, whereupon Congress passed an act levying the same impost as a Federal tax, its proceeds to go for the support of State Immigration Commissions in the States where most immigrants arrived. The New York Commission wrought incalculable good in preventing frauds upon immigrants, and in assisting them to their destination.

After the passage of the Resumption Act, January 14, 1875, the forces of labor reform were quite generally directed against the policy of contraction. A convention of anti-contractionists met in Detroit, on August 23, 1875. Protesting that they were not inflationists, they yet earnestly deprecated any diminution in the volume of currency, which they would maintain by greenbacks redeemable only in bonds, these, in turn, being convertible into greenbacks.

The Independents, known as the National Greenback Party, assembled at Indianapolis, Ind., on May 17, 1876. Two hundred and thirty-nine delegates were present from

nineteen States. The platform was essentially a demand for the immediate and unconditional repeal of the Resumption Act and for the issue of United States notes convertible on demand into Government obligations bearing a low rate of interest, such notes to form our circulating medium, and such bonds, re-exchangeable for notes at the option of the holder, to render needless any further sales of bonds payable in coin. Peter Cooper was the nominee for President, Newton Booth for Vice-President. Mr. Booth declining, Samuel F. Carey, of Ohio, was chosen in his stead. Mr. Cooper accepted the nomination conditionally, expressing the hope that the Independents might attain their aims through either the Republican or the Democratic party, permitting him "to step aside and remain in that quiet which was," he declared, "most congenial to his nature and time of life." Cooper ran, however, receiving 82,640 votes. The next year his party polled 187,095 votes, and in 1878, 1,000,365. The Greenback or National Greenback-Labor Party entered actively into the canvass of 1880, running General J. B. Weaver for President, who polled 307,740 votes. Four years later General B. F. Butler was the Presidential candidate both of this party and of the "Anti-monopoly" party. He received 133,825 votes.

Happy had it been for the country could we have diverted the entire force of the labor agitation into political channels. But this was impossible. The worst labor troubles of these years had to be settled not at the polls but by force. This was mainly due to the large number of immigrants now arriving, among them Hungarians, Poles, Italians, and Portuguese, usually ignorant clay for the hand of the first unscrupulous demagogue. Another cause of the labor wars was the wide and sedulous inculcation in this country of the social-democratic, communist, and anarchist doctrines long prevalent in Europe. Influences concurrent with both these were the actual injustice and the haughty and overbearing manner of many employers. Capital had been mismanaged and wasted. The war had brought unearned fortunes to many, sudden wealth to a much larger number, while the unex-

amplified prosperity of the country raised up in a perfectly normal manner a wealthy class, the like of which, in number and power, our country had never known before. As, therefore, immigration, along with much else, multiplied the poor, the eternal angry strife of wealth with poverty, of high with low, of classes with masses, crossed over from Europe and began on our shores.

The rise of trusts and gigantic corporations was connected with this struggle. Corporations worth nigh half a billion dollars apiece were able to buy or defy legislatures and make or break laws as they pleased; and since such corporations, instead of individuals, more and more became the employers of labor, not only did the old-time kindness between help and hirers die out, but men the most cool and intelligent feared the new power, as a menace to democracy. Strikes, therefore, commanded large public sympathy. Stock-watering and other vicious practices, involving the ruin of corporators themselves by the few holders of a majority of the shares in order to repurchase the property for next to nothing, contributed to this hostility. So did the presence, in many great corporations, of foreign capital and capitalists, and also the mutual favoritism of corporations, showing itself, for instance, in special freight rates to privileged concerns. Minor interests, and particularly employees, powerless against these Titan agencies by any legal process, resorted to counter-organization. Labor agitation was facilitated by the extraordinary increase of urban population, it being mostly manufacturing and mechanical industry which brought the hordes of workmen together. Trades-unions secured rank development. The Knights of Labor, intended as a sort of union of them all, attained a membership of a million. The manufacturers' "black list," to prevent any "agitator" laborer from securing work, was answered by the "boycott," to keep the products of obnoxious establishments from finding sale. Labor organizations so strong often tyrannized over their own members, and boycotting became a nuisance that had to be abated by law.

In the Pennsylvania mining districts labor troubles early became acute. The great coal barons, offending the public by pricing their indispensable product extortionately high, long received no sympathy and no aid in repressing employees' crimes. During 1873, 1874, and 1875, these grew frightfully common. Usually the motive seemed to be not so much to injure employers' property as to scare "scab" help from the mines during contests against "cuts" in wages. A cut at the Ben Franklin Colliery had been accepted by the men, who were peaceably at work, when the "breaker" was burned, throwing them all out. Another "breaker" near by a gang of strikers fired almost by daylight, first driving the workmen away.

A common method of intimidation was for ten or twelve roughs to form a gang, and, armed, to sweep through a mining camp, forcing every man to join; the numbers so collected being soon sufficient to overawe any inclined to resist. June 3, 1875, one thousand men thus gathered stopped work at several mines near Mahanoy City, and a similar band did the same at Shenandoah. At night there was an attempt to derail a passenger train approaching Shenandoah, but the plot was discovered in time. The same night a "breaker" near Mount Carmel went up in smoke, and a few days later two contractors at the Oakdale mine were shot.

For a time every passenger train on the Reading Railroad had to be preceded through the mining districts by a locomotive carrying an armed posse. Watchmen and station agents were beaten; loaded cars and other obstructions were put upon main tracks; switches were misplaced and warehouses plundered. At every cut or forest along the line lay armed assassins to shoot trainmen and passengers. Each engineer ran his train, his left hand on the throttle, his right clutching a revolver.

Bosses and "scabs" specially hated by the desperate miners were served with notices denouncing vengeance on them if they did not leave.

One admonition ran:

"Now men i have warented ye before and i willnt warind you no mor—but i will gwrintee you the will be the report of the revolver."

A rude drawing of a revolver was subjoined as the author's sign manual.

Others were as follows:

"NOTICE

"Any blackleg that takes a Union Man's job While He is standing for His Rights will have a hard Road to travel and if He don't he will have to Suffer the Consequences."

This "Notice" was followed by a picture of a dead man in his coffin, and signed "BEACHER AND TILTON."

At Locust Summit, March 31, 1875, was posted the following:

"NOTICE

"Mr. Black-legs if you don't leave in 2 days time You meet your doom there will Be an Open war—imeateatly—"

Such threats, unless heeded, were nearly always executed. Among others notified in these ways was one McCarron, a policeman in Tamaqua, who had aroused the enmity of "Powder Keg" Carrigan. Two men were detailed to kill McCarron late on a given night, and hid themselves for this purpose near his beat. But on this night McCarron happened to have changed beats with another policeman named Yost, an old soldier, whom all, even the Mollies, liked. Climbing a lamp-post ladder early in the morning to turn out the gas, Yost was fatally shot by the men who had been lying low for McCarron.

The chief source of these atrocities was a secret society known as the "Mollie Maguires," their name and spirit both imported from Ireland. They terrorized the entire Schuylkill and Shamokin districts. A superintendent or a boss was attacked, beaten or shot down somewhere almost every day. Gangs of these thugs would waylay a victim in the

field or by the roadside if they could, but, failing in this, they surrounded his house, forced him out, and did him to death. Among the most brutal of their murders was that of Alexander Rea, a mine superintendent, pounded and shot to death in October, 1868. Driving along a lonely road between Mount Carmel and Centralia, supposed to be going to pay off his men, and therefore to have \$19,000, more or less, in his buggy, he was set upon by a gang of Mollies, among them Dooley (or Tully), McHugh, and "Kelly the Bum." After filling themselves with liquor, the squad, at dawn, hid in a piece of woods through which their victim was to pass, and, upon his approach, rushed at him, pistols in hand. "Kelly the Bum" fired first. Rea piteously begged for his life. He happened on this occasion to have only \$60 with him, having paid at the colliery the day previous, a day earlier than usual; but he offered his assailants all he had, as well as his watch, agreeing also to sign a check for any amount if they would spare him. In vain. Having fired several bullets into the wretched man, they made sure of the work with clubs and the butts of their revolvers. The bloody conspirators were subsequently tried, convicted, and hanged for this murder, save "Kelly the Bum," who got off by turning State's evidence.

Law-abiding people feared to stir out after dark, or even by day, unless well armed. The Mollies had their signs and passwords for use when necessary, but they grew so bold that such devices were rarely needed. In case of arrest plenty of perjurers were ready to swear an alibi, though not a witness could be drummed up for the State. The Mollies nominated officers and controlled elections. Members of the Order became chiefs of police, constables, and county commissioners. One of them came very near being elected to the Schuylkill County bench. Superintendents of jobs had to hire and discharge men at the Mollies' behest, or be shot. At a certain State election a high State official gave the Order large money for casting its vote his way. Jack Kehoe, a leading Mollie, when in prison for murder, boasted

that if he were convicted and sentenced "the old man up at Harrisburg" would never let him swing. The entire power of the Catholic Church in the region was used against the Order, but in vain.

The principal honor of exposing and suppressing this Pennsylvania Mafia is due to Hon. Franklin B. Gowen, a lawyer, at the time President of the Pennsylvania and Reading Coal and Iron Co. Knowing the uselessness of attempting the work with the local police, he, in 1873, secured from Pinkerton's Detective Agency in Chicago the services of one James McParlan, a young Irishman of phenomenal tact and grit, to go among the Mollies as a secret detective. No bolder, no more dangerous, no more telling work was ever wrought by a detective than that now undertaken by McParlan. Calling himself McKenna, he began operations in the autumn of 1873. By stating that he had killed a man in Buffalo and that his favorite business had been "shoving the queer," he was at once admitted to the Order, and soon became one of its prominent officers. He seems, however, to have been from the first the object of some suspicion, so that the progress of his mission was slow.

It was not till 1875 that McParlan's work began to tell. Two murders to which he was privy he unfortunately could not prevent, so closely was he watched. One of these was that of Thomas Sanger, a young English boss miner. Early on the morning of September 1st Sanger started from his house to his work. Hardly out of sight of his door a man faced him and shot him through the arm. Running round a house near by he was met by a second villain, pistol in hand. Turning, he stumbled and fell, just as a third appeared, who shot him fatally. A fourth deliberately turned the body over so as to make sure of hitting a vital part, and shot him again. Robert Heaton, an employer, heard the firing and rushed, armed, to Sanger's aid. The murderers fled. Poor, brave Sanger, bleeding to death, told Heaton: "Never mind me, give it to them, Bob." Sanger's agonized wife, from whom he had just parted, reached his prostrate form barely

in time to hear him gasp: "Kiss me, Sarah, for I am dying."

The assassins escaped Heaton, but went straight to the house where McParlan was, acquainting him with every detail of their bloody deed. Gowen had employed him on the express condition that he should never be called as a witness or be required in any way to show his hand, but when arrests were made the Mollies suspected him, so that it appeared to be his safest course to come out openly for the prosecution. Going upon the witness stand, he demolished the sham alibi which the culprits sought to establish, and gave clews which led to the extirpation of the entire gang. Schuylkill County, where the worst crimes had occurred, rose in its might and stamped out the conspiracy. A small army of alibi witnesses were punished for perjury. Nine of the Mollies were sentenced to death, and most of the other leaders imprisoned for long terms.

"Then," said Mr. Gowen, who acted as counsel for the prosecution, "we knew that we were free men. Then we could go to Patsy Collins, the commissioner of this county, and say to him: 'Build well the walls of the new addition to the prison; dig the foundations deep and make them strong; put in good masonry and iron bars; for, as the Lord liveth, the time will come when, side by side with William Love, the murderer of Squire Gwither, you will enter the walls that you are now building for others.' Then we could say to Jack Kehoe, the high constable of a great borough in this county: 'We have no fear of you.' Then we could say to Ned Monaghan, chief of police and murderer and assassin: 'Behind you the scaffold is prepared for your reception.' Then we could say to Pat Conry, commissioner of this county: 'The time has ceased when a Governor of this State dares to pardon a Mollie Maguire—you have had your last pardon.' Then we could say to John Slattery, who was almost elected judge of this court: 'We know that of you that it were better you had not been born than that it should be known.' Then all of us looked up. Then, at last, we were

free, and I came to this county and walked through it as safely as in the most crowded thoroughfares of Philadelphia."

The times evoked a specially bitter feeling against great railway corporations, and a widespread desire to set legal limitations to their power. Their reckless rivalries, their ruinous borrowing and extravagance were freely criticised even by such as did not deem themselves injured thereby; but their employees were rendered frantic.

The most desperate and extensive strike that had yet occurred in this country was that of 1877, by the employees of the principal railway trunk lines—the Baltimore & Ohio, the Pennsylvania, the Erie, the New York Central, and their Western prolongations. The immediate grievance was a ten per cent "wage cut," reinforced, however, by irregular employment, irregular and tardy payment, forced patronage of "pluck-me" hotels, and the like. On some roads the trainmen were assessed the cost of accidents. At a pre-concerted time junctions and other main points were seized. Freight traffic on the roads named was entirely suspended, and the passenger and mail service greatly impeded. When new employees sought to work, militia had to be called out to preserve order. Pittsburg was the scene of a bloody riot. At Martinsburg, also at Pittsburg, a great part of the State troops sympathized with the strikers and would not fire upon them. At Pittsburg, where the mob was immense and most furious, the Philadelphia militia were besieged in a round-house, which it was then attempted to burn by lighting oil cars and pushing them against it, until the soldiers were compelled to evacuate. Fortunately they made good their retreat with only four killed. The militia having had several bloody and doubtful encounters on July 21, 22, and 23, at the request of the Governors, President Hayes despatched United States troops to Pennsylvania, Maryland, and West Virginia. Faced by these forces the rioters in every instance gave way without bloodshed.

Scranton's mayor narrowly escaped death, but was res-

cued by a posse of special police, who killed three of the mob ringleaders. In disturbances at Chicago nineteen were killed, at Baltimore nine. At Reading, endeavoring to recapture a railroad train held by the mob in a cut near the city, the soldiers were assailed with bricks and stones hurled from above, and finally with pistol shots. One militiaman retorted, scattering shots followed, and then a sustained volley. Only 50 of the 253 soldiers escaped unhurt, but none was seriously injured. Of the crowd 11 were killed and over 50 wounded, two of the killed and some of the wounded being mere onlookers.

The torch was applied freely and with dreadful effect. Machine-shops, warehouses, and two thousand freight-cars were pillaged or burned. Firemen in Pittsburg were at first threatened with death if they tried to stop the flames, and the hose were cut; but, finally, permission was given to save private property. In that city attacks did not cease till the corporation property had been wellnigh destroyed. One thousand six hundred cars and 126 locomotives were burned or ruined in twenty-four hours. Allegheny County alone became liable for about \$3,000,000. Men, women, and children fell to thieving, carrying off all sorts of goods—kid ball-shoes, parasols, coffee-mills, whips, and gas-stoves. In one house the police found seven great trunks full of clothes, in another eleven barrels of flour. It is said that a wagon-load of sewing machines was sold on the street, the machines bringing from ten cents to \$1 apiece. The loss of property was estimated at \$10,000,000.

One hundred thousand laborers are believed to have taken part in the entire movement, and at one time or another 6,000 or 7,000 miles of road were in their power. The agitation began on July 14th, and was serious till the 27th, but had mostly died away by the end of the month, the laborers nearly all returning to their work.

Hosts of Pennsylvania miners went out along with the railroad men. The railway strike itself was largely sympathetic, the ten per cent reduction in wages assigned as its

cause applying to comparatively few. The next years witnessed continual troubles of this sort, though rarely, if in any case, so serious, between wage-workers and their employers in nearly all industries. The worst ones befell the manufacturing portions of the country, where strikes and lockouts were part of the news almost every day.

CHAPTER XII.

ANYTHING TO BEAT GRANT.

Presidential Possibilities in 1880—Grant the Lion—Republican Convention—A Political Battle of the Wilderness—Garfield the Dark Horse—Grant's Old Guard Defeated but Defiant—Democrats Nominate Hancock—"The Ins and the Outs"—Party Declarations—The Morey Forgery—Blaine Can't Save Maine—Conkling's Strike Off—Garfield Elected—"Soap" *vs.* Intimidation and Fraud—From Mule Boy to President—Hancock's Brilliant Career—The First Presidential Appointments—Conkling's Frenzy and His Fall—The Cabinet—Garfield Assassinated—Guiteau Tried and Hanged—Star Route Frauds—Pendleton Civil Service Act.

MR. HAYES'S very honorable Administration neared its end and the Presidential campaign of 1880 approached. Spite of the wide unpopularity of resumption, spite of the hard times and labor troubles, the party in power was now in far better condition to win than it had been in 1876. The Republicans therefore had no dearth of potential standard-bearers. Returning from a remarkable tour around the world, General Grant became, in 1880, a candidate for a third-term nomination. There is reason to think that Grant himself did not greatly desire this but was pushed forward by Senator Roscoe Conkling, of New York, to ensure the defeat of James G. Blaine, of Maine, whom Conkling not merely disliked but hated. Conkling was now in effect Republican dictator in his State. Its delegation to the Convention was hence expected to be a unit for Grant, in which case it would form a good nucleus for the third-term forces. Don Cameron, of Pennsylvania, and General John A. Logan, of Illinois, like Conkling, strongly favored Grant, securing for him, not without some contest, the delegations from their respective States and at the same time securing control of the National Committee, which dictated the time and place

of holding the Convention. Mr. Blaine had great strength in the West and considerable elsewhere. Senator Edmunds was the cynosure of a knot of Independents, mostly Eastern men. Sherman's masterly handling of the Treasury brought him also into prominence, almost into popularity, as a candidate. He was able, practically, to name the four Ohio delegates-at-large, Warner M. Bateman, William Dennison, Charles Foster, and James A. Garfield. The last-named had expressed his wish to be a delegate-at-large, in order that he might more effectively aid the Sherman cause.

General Grant was now more than ever a hero. He had recently visited every prominent court and country on the globe. The Emperors of Germany and Austria, the Czar, the Queen of Great Britain, the Sultan, the Pope, the Kings of Belgium, Italy, Holland, Sweden, and Spain, the Khédive of Egypt, the Emperor of Siam, the Mikado of Japan, the Viceroy of India, and with them a host of the world's most distinguished statesmen, soldiers, and literary men, had vied with one another in rendering the ex-President's progress from land to land a continuous ovation. No human being in all history had ever received such honors. The ex-President's self-possession amid all this pomp, his good sense and sturdy maintenance of simple, democratic manners, impressed every one. Some who had opposed him in 1876 now wished him elected, on the ground that four so honorable years in private station justified renewed promotion, while not transgressing the unwritten law against a third term.

So formidable did Conkling's movement for Grant become that the opponents of the two rallied to the war-cry, "Anything to beat Grant." About this time the superstitious were stirred by Mother Shipton's prophecy,

"The world to an end will come
In eighteen hundred and eighty-one."

An anecdote was told of a preacher who dwelt upon the impending cataclysm, urging his hearers by all means to be

prepared. While he was describing the peril an earnest voice from the congregation ejaculated, "Thank God!" The minister sought out the possessor of the voice and asked why he was thankful for a prospect at which most men shuddered. "Anything to beat Grant," was the answer. A determined sentiment hostile to the ex-President's candidacy found expression in the resolutions of the Republican Anti-third-term Convention held in St. Louis on May 6th. These resolutions declared against the Grant movement as likely to revive the memory of old scandals, and certain, if successful, to introduce personal government and to hinder civil service reform.

After the revelations described in Chapter IX the movement to elect Grant President for a third term was sure to awaken bitter opposition in his own party. The story of his second term, which might have been left for posterity to extract from the records as best it could, was vividly recalled to memories which had never fully lost it, being rehearsed in a thousand newspapers, now piecemeal, now in whole chapters, till all intelligent people were perfectly familiar with it.

The Republican Convention met at Chicago on June 2d. Conkling, who had charge of the Grant canvass, sanguine of carrying the Convention but fearing a "bolt" afterward, introduced the following disciplinary resolution, which was passed by a vote of 719 to 3:

"Resolved, As the sense of this Convention, that every member of it is bound in honor to support its nominee, whoever that nominee may be, and that no man should hold his seat here who is not ready to so agree."

An effort was made to expel the three recalcitrants, but it proved abortive. The rule requiring State delegations each to vote as a unit, which had been assailed at the Cincinnati Convention of 1876, was now definitely abandoned. This gift of a voice to minorities in State delegations lopped off ninety votes from Grant's constituency, which was a great victory for his opponents. It was in effect another blow against the Grant cause when Mr. Flanagan, of Texas, ut-

tered the memorable query: "What are we here for if it isn't for the offices?"

The State of New York had seventy votes in the Convention. Knowing that they would all be needed if Grant were to win, Conkling had gotten the New York Convention to instruct the delegation to vote as a unit for the nominee desired by the majority. But nineteen of them, led by Conkling's opponent in New York Republican politics, William H. Robertson, refused to obey this mandate and voted for Blaine. Nine of the Ohio delegation bolted from Sherman to Blaine, a move which solidified the rest of the Ohio delegation against Blaine, and thus "undoubtedly," says Sherman, "led to his defeat." The first ballot showed Grant in the lead, with Blaine a close second, and they maintained this relative position through thirty-five consecutive ballots. The thirty-fourth ballot called attention to James A. Garfield, who received seventeen votes, fifteen more than any preceding ballot had given him. As a feeler Wisconsin, near the foot of the list, bolted to him. Galleries and Convention went wild. Garfield had been somewhat prominent in the Convention, having charge of Sherman's cause and being, in some sense, the leader of all the forces opposed to Grant, but scarcely any one had dreamed of his being nominated. It having become plain that the New York split must defeat Blaine and Grant alike, the bulk of the Blaine and Sherman delegates, under instructions from their chiefs at Washington, went over to Garfield. Conkling was confident till Maine cast her vote for Garfield, when he sent the word around for delay. In vain. Too late. Conkling's old guard of 306 delegates, remaining steadfast to the last, rendered him too confident, and he was outgeneraled. That very morning some one asked Garfield: "Well, General, who is going to win the battle of the Wilderness?" "The same little man that won the first will win it," he replied, deliberately, "and I am afraid it will mean the destruction of the Republican party." The stampede gave Garfield 399 votes, twenty-one more than were

needed to make him the choice of the Convention. While the State banners were seized and waved in a circle above his head, while all was enthusiasm and hubbub, Garfield himself sat, as if in a stupor, dazed and benumbed. The second place on the ticket being conceded to a Grant man, Conkling, as a stab at President Hayes, named for Vice-President Chester A. Arthur, the same whom Hayes had deposed from office. "Garfield and Arthur" was therefore the ticket.

The country hailed the Presidential nomination with extreme satisfaction. Blaine, in spite of his defeat, hastened to send Garfield his congratulations. So did Sherman, who blamed Governor Foster, and not the nominee, for perfidy. But Conkling sulked, cursing the nineteen rebellious New York delegates, and vowing eternal vengeance upon Robertson in particular. Grant's phalanx, which had stood solid for him from the first, alone failed to partake of the general enthusiasm.

The Democratic Convention assembled at Cincinnati on June 22d. Mr. Tilden could, no doubt, have had the nomination had he signified his willingness to accept it, but his friends were wholly ignorant of his wishes until just as the Convention met, when he wrote declining renomination. On the third ballot the delegates nominated the hero of Gettysburg, the brave and renowned General Winfield S. Hancock, of Pennsylvania.

The two parties were at this time best classed as "the ins" and "the outs." Though not exactly one upon the fading issue of intervention at the South, or upon that of "incidental protection" *versus* a "tariff for revenue only," neither these issues nor any others were kept steadily in sight during the campaign. The Republicans had not yet wearied of reminiscences, while the Democrats nursed their party fealty by calling Hayes "the fraud President." On the people at large the ceaseless repetition of this phrase had not the slightest effect, particularly after the publication of the "cipher despatches," which involved certain Demo-

cratic leaders in attempts, pending the Hayes-Tilden controversy, to bribe electors representing doubtful States.

The Republicans' platform charged Democrats with "a supreme and insatiable lust of office," yet their own *devoir* to civil service reform they paid only as an afterthought, amid the jeers of delegates. To detach the Republican reform vote, the Democratic platform made three distinct allusions to that subject, indorsing a general and thorough reform, "execrating" the course of the Administration in using offices to reward political crime, and promising "a genuine and lasting improvement in case of a change." The Republicans suspected the other party of coquetting with the Roman Catholic Church, and urged an amendment forbidding State appropriations for sectarian schools; but both parties applauded public education and separation between Church and State. They were at one also in decided opposition to Chinese immigration. The pensioner was becoming conspicuous. Republicans boasted of paying annually more than thirty millions of dollars in pensions, and promised the old soldiers—sincerely, as events showed—undiminished gratitude in future. They further declared against polygamy. The Democrats avowed themselves in favor of "free ships and a chance for American commerce on the seas and on the land;" also for gold, silver, and convertible paper money.

Though living issues were little discussed in the campaign, it was not wanting in warmth or movement. Republicans were incessantly "waving the bloody shirt," a Democratic phrase which became familiar at this time. The Democrats, as we have said, harped upon the "fraud" that they ascribed to the Electoral Commission which "counted out" Mr. Tilden. Incidentally, as election day grew near, protection to home industry and restriction of Chinese immigration were more or less discussed, with, perhaps, considerable local effect, but the election was in no sense decided by either. Seizing upon a luckless utterance of General Hancock's, to the effect that the tariff was "a local issue," the Re-

publicans took occasion to ridicule his ignorance of economic and political affairs. Garfield was accused of disreputable connection with the Credit Mobilier, and with the Washington Ring back in the seventies, but nothing worse than indiscretion was proved against him. Shortly before election day Democratic politicians sowed broadcast facsimiles of a letter signed with Garfield's name, and representing him as so lovingly attached to "our great manufacturing and corporate interests" as to favor Chinese immigration until laborers should be sufficiently abundant to satisfy capital. This letter was proved to be a forgery, and one of the authors of it was sentenced to prison for eight years.

In 1878 Maine had surprised every one by electing a Democratic Governor, through a fusion of Democrats with Greenbackers. After the next annual election, acting as a Canvassing Board, professedly under the law, this Governor, Garcelon, and his counsel declared a Democratic Legislature to be elected—a proceeding denounced as a "counting in" worthy of the most approved Louisiana model. This course contravened the judgment of the State Supreme Court. It was not upheld by public opinion either in the State or elsewhere, not even by Democratic opinion, unless as a species of "poetic justice." Most fatal of all, the new Legislature was unsupported by the State militia, upon which, as no Federal troops were at command, devolved, during the interregnum, the charge of keeping order. The fusionists, therefore, gave up in discouragement. But in the State election of the Presidential year, in September, renewed success came to them. Their candidate, Harris M. Plaisted, was elected Governor, spite of the Republicans' activity under the personal lead of Mr. Blaine.

Until this reverse in Maine most supporters of Grant had sulked, but they did so no longer. The "strike" was now declared "off," and all the available resources of the party called into requisition for the election of Garfield. Persuaded by Grant, Conkling himself took the stump, working for the nominees with all his might. Popular audiences

found his eloquence irresistible. No man did more than he to carry the important State of New York. He took Grant with him throughout the State, exhibiting him for five-minute speeches, while he himself made long orations. This occasioned much comment, but probably "did good." Conkling and his supporters deemed his agency decisive of the result in the nation as well as in New York, and considered President Garfield as under the deepest obligation on this account. Hancock swept every Southern State. Garfield carried every Northern one except New Jersey, Nevada, and California. For the first time in our history the Presidential electors were all chosen by popular vote, and for the first time their votes were counted as cast.

Thus the victory was won for Garfield and Arthur. It was not obtained, however, without employing, to some extent, illegitimate means. At a dinner in honor of Hon. S. W. Dorsey, Vice-President Arthur, in a vein of pleasantry, remarked that the Republicans had been victorious in Indiana by a liberal use of "soap." After the election discreditable exposures were made respecting contributions by Government civil servants to the Republican campaign fund.

But if machine politics had much to do with Garfield's election, machine politics no more determined it than intimidation and fraud solidified the South for Hancock. Garfield had a highly honorable record—literary, military, and civil. From a mule-boy on the tow-path of the Ohio Canal between Cleveland and Marietta—which rough life, it seems, bade fair for a time injuriously to affect his character—he had risen to a college presidency and to the Senate of Ohio, all before the war. Entering the service early, he rose rapidly in rank—as he deserved, for no civilian commander had proved a better soldier. His martial quality came out at Middle Creek, Shiloh, and pre-eminently at Chickamauga, where his gallant and meritorious services made him a major-general. At Chickamauga, when the right wing of Rosecrans's army was in full retreat, leaving to its fate the left, under General Thomas, Garfield, through a fiery storm of

shot, fatal to most of his escort, had ridden back to acquaint Thomas with the state of affairs, encourage him, and arrange for the safe re-formation of the Union forces on a new line. Entering Congress in December, 1863, he at once became a leader, serving with distinction on the most important committees, a power in debate and on the stump, eloquent, sensible, patriotic—not, indeed, an adroit politician, but no little of a statesman. While in Congress he probably had a more thorough acquaintance with important public questions than any other man in official life. His firm and decisive stand for honest money, when a formidable faction in his party was for fiat greenbacks, has already been alluded to in this History. That his State made him its Senator, and his country made him its President, were in nowise mere accidents.

Hancock's record, too, was altogether spotless and proud. A West Point graduate and a patriot to the backbone, brevetted for gallantry at Contreras and Churubusco, at the front whenever he could possibly get there in any serious engagement of our army in Virginia during the entire Civil War, always a fighter, the bravest of the brave, the cause of Union victory at Gettysburg, if any one man could be so called, Hancock at the time of his nomination came before the public as perhaps the most consummate specimen of a mere military man in the whole history of the country. Grant said Hancock's name "was never mentioned as having committed in battle a blunder for which he was held responsible." Nor can any well doubt that Hancock would have made a successful President. Few, in fact, questioned this. It was his party that was distrusted. Had the Democracy held the place in public esteem which was accorded to the candidate, Hancock would almost certainly have been elected. As it was, Garfield's popular majority was trifling, though in the Electoral College he had 214 votes to Hancock's 155.

If it was Garfield's wish, as he again and again declared, to treat all stripes of the party alike, it is hard to understand what led him to select Blaine as Secretary of State in his Cabinet. The mere rumor of this purpose roused Conkling's

utmost ire. Blaine and Conkling had long been openly and bitterly at feud. Their quarrel, beginning in empty trifles, had grown by incessant fanning until it menaced the party with fatal schism. Tried and wise friends of both besought Blaine not to accept the offered portfolio. Senator Dawes was one of these. He says: "I warned Mr. Blaine that if he entered the Cabinet with the intent or hope of circumventing his rival, it would be fatal to him and to the administration of Garfield, and I expressed the opinion that it would be impossible for him to keep the peace if he took the office. He replied with frankness, and, I have no doubt, with entire sincerity, that it would be his purpose, if he accepted the office, to ignore all past differences, and so deport himself in it as to force reconciliation. He said also that he could not agree with me, even if the effect should prove otherwise, that he should for that reason be debarred from the great opportunity, for which he felt himself qualified, to administer the Foreign Office on the broad and grand scale he did afterward undertake, but was not permitted to perfect. I foresaw the rocks all too plainly, and advised him to remain in the Senate. But he determined otherwise and accepted the position."

Garfield and Blaine probably thought that Conkling's influence against them might be safely ignored (in which they proved not wholly right), considering him a very shallow man (wherein they were not wholly wrong). It is among William Winter's reminiscences that Conkling and George William Curtis once compared judgments touching poetry and oratory, each citing passages that seemed to him ideal. Conkling named Mrs. Hemans's "*Casabianca*," "The boy stood on the burning deck," etc., as his model poem, and some fine sentences from Charles Sprague as what suited him best in eloquence. It was Sprague, we recall, whose Fourth of July oration at Boston, in 1825, contained the smart period beginning: "Not many generations ago, where you now sit, circled by all that adorns and embellishes civilized life, the rank thistle nodded in the wind and the wild fox dug his hole

unscared." Curtis, for eloquence, presented the following from Emerson's Dartmouth College oration, delivered on July 24, 1838: "You will hear every day the maxims of a low prudence. You will hear that the first duty is to get land and money, place and name. 'What is this Truth you seek? What is this Beauty?' men will ask, with derision. If, nevertheless, God have called any of you to explore Truth and Beauty, be bold, be firm, be true. When you shall say, 'As others do, so will I. I renounce, I am sorry for it, my early visions; I must eat the good of the land, and let learning and romantic expectations go until a more convenient season;' then dies the man in you; then once more perish the buds of Art and Poetry and Science, as they have died already in a thousand thousand men."

This Conkling thought rather tame.

Conkling looked upon Blaine's promotion as nothing but a deliberate attempt to humiliate himself, and his friends concurred in this view. "Garfield, of whose great brain-power political sagacity formed no part, could not be made to see in the opposition anything but an attempt by dictation to trench upon his Constitutional prerogatives in the choice of his own councilors, and all Blaine men agreed with him."

Bad was made worse when Garfield offered the post of Secretary of the Treasury to Charles J. Folger, of New York, not only without consulting Conkling, but against Conkling's warm recommendation of Mr. Morton. That Mr. Folger declined the portfolio did not pacify Conkling. No man in the Cabinet represented Conkling, whereas he and his friends thought that on account of his great service in the campaign, all New York appointments, at least, should be filled by him from among his friends. Garfield, undoubtedly influenced by Blaine, would not consent to this. He was willing to do what he reasonably could to pacify Conkling, but he refused to renounce his Constitutional privilege of personally selecting the men who were to aid him in discharging his arduous duties.

Shortly before the inauguration, in the spring of 1881, Senator Platt, who was politically and sympathetically in accord with his colleague, received the information that Mr. James had been selected for the position of Postmaster-General. Up to this time the two New York Senators had received assurances from the President-elect that the Empire State was to be favored with the portfolio of the Treasury Department, which was regarded as a more dignified and more influential position in every respect. As soon as Mr. Platt heard of the President's change of mind, he repaired at once to Chamberlain's, where he found Vice-President Arthur and Senator Conkling at breakfast. He broke the news to them. Arthur and Conkling at once left the table, and all three repaired to the Riggs House, where Garfield had rooms. They received an audience without delay, and for over an hour Conkling stormed up and down the room, charging Garfield with treachery to his friends in New York, and asserting that he was false to his party. Garfield, sitting on the side of the bed, listened in silence to the tirade, violent and unseemly as all thought it. Both General Arthur and Senator Platt subsequently declared that for invective, sarcasm, and impassioned eloquence, this was the speech of Conkling's life.

On March 23, 1881, Conkling's dearest foe, Mr. Robertson, was nominated by the President as Collector of Customs at the Port of New York, the then incumbent, E. A. Merritt, being nominated for the post of Consul-General at London. Both appointments were opposed by Conkling and his colleague, Mr. Platt, but in spite of this they were subsequently confirmed by the Senate. Conkling's ire grew into a frenzy. Sober Republicans were aghast at the chasm widening in the party. A committee of conciliation, consisting of five gentlemen representing different attitudes to the litigants, was appointed to try and harmonize them. Conkling met these gentlemen to recount his wrongs. Said Mr. Dawes, who was chairman of the committee: "On that occasion he surpassed himself in all those elements of oratorical power

for which he was so distinguished. . . . He continued for two hours and a half to play with consummate skill upon all the strings known to the orator, and through all the notes, from the lowest to the highest, which the great masters command, and concluded in a lofty apostrophe to the greatness and glory of the Republican party and his own devotion to its highest welfare. 'And,' said he, 'I trust that the exigency may never arise when I shall be compelled to choose between self-respect and personal honor on the one side and the temporary discomfiture of that party on the other; but if that time shall ever come I shall not hesitate in the choice, and I now say to you, and through you to those whom it most concerns, that I have in my pocket an autograph letter of this President, who is now for the time being its official head, which I pray God I may never be compelled in self-defence to make public; but if that time shall ever come, I declare to you, his friends, he will bite the dust.'"

This letter proved to be one like the "My dear Hubbell" epistle mentioned below. It had been written in the course of the campaign to press collections from Government officials and clerks for campaign expenses. President Garfield had retained a copy. His friends urged him to publish it forthwith, thus anticipating Conkling; and he, at first, consented, but Mr. Blaine dissuaded him. True to his threat, Conkling gave it out, but too late, so that it fell flat. The conciliation committee waited on the President to see if there was not some way by which he could consistently accord Conkling fuller recognition. Nothing came of the effort, as Conkling would be satisfied only by the President's utter neglect and humiliation of the Robertson faction in New York. Conkling was labored with again and begged to be magnanimous, but he would not yield a hair. Instead of placing the good of the party before his personal spite, he proposed to rule or ruin. "Should I do as I am urged," he said, "I should myself go under, and should be burned in effigy from Buffalo to Montauk Point, and could not be elected a delegate to a county convention in Oneida County." It is said that he did

actually seek, later, an election to a convention in that county, but without success.

Republicans after the heart of Conkling and Arthur, constituting "the Prince of Wales's Party," now called themselves "Stalwarts," a term invented by Mr. Blaine, at the same time styling Administration Republicans "Half-breeds." Those declining to take sides either way they dubbed "Jelly-fish." On May 16th, before Robertson's confirmation, the two New York Senators, Conkling and Platt, resigned their places, expecting the honor and indorsement of an immediate re-election. In this they were disappointed. They were defeated in the New York Legislature by E. C. Lapham and Warner Miller, Administration or "Half-breed" Republicans. Mr. Conkling never again reappeared in politics. Mr. Platt, on the contrary, suffered only a temporary loss of influence. Disliked by a large section—perhaps a majority—of the New York Republicans, he still did not cease to be the determining factor of the fortunes of the party in his State. It is not unlikely that Mr. Bryce had Conkling and Platt in mind when, in his chapter upon "Rings and Bosses," he wrote: "There have been brilliant instances of persons stepping at once to the higher rungs of the ladder in virtue of their audacity and energy, especially if coupled with oratorical power. However, the position of the rhetorical boss is less firmly rooted than that of the intriguing boss, and there have been instances of his suddenly falling to rise no more."

Mr. James was well succeeded in the New York Post-Office by Mr. Pearson, who had been the Assistant Postmaster. Robert T. Lincoln, of Illinois, Secretary of War, was not well known, but the illustrious name of his father made the selection a popular one. He had supported Grant in the convention, and his appointment was an acknowledgment of the Logan faction. Of Mr. Kirkwood, Secretary of the Interior, it is sufficient to say that he was indorsed by Carl Schurz, his predecessor in the department. Judge William H. Hunt was placed in charge of the Navy portfolio. He was an Old-Line Whig, born in South Carolina, who had

moved to Louisiana. Throughout the war he was a staunch Union man, and afterward a consistent Republican. He had been counsel for Governor Kellogg against McEnery in the famous Durell case, and also a candidate for the office of Attorney-General on the Louisiana State ticket with Packard. President Hayes made him a judge of the Court of Claims, a position which he held till he received this promotion from Mr. Garfield.

Wayne MacVeagh, of Pennsylvania, Attorney-General in Garfield's Cabinet, was universally respected for his high character and ability. Though a son-in-law of Simon Cameron, he was an Independent, and therefore, politically, no friend to either of the Camerons. William Windom, of Minnesota, Secretary of the Treasury, the East suspected of monetary "unsoundness," but this occasioned little anxiety, as Garfield was well known to be perfectly trustworthy in this regard. Windom was immensely popular in the West because of his antagonism to monopolies, some of which had already made themselves formidable and odious. By this time telegraph and railway lines had become consolidated and one or two "Trusts" had arisen.

In the fall of 1880 a Mr. Hudson, of Detroit, confided to Senator Sherman a fear that General Garfield would be assassinated, giving particulars. Being at once apprised, Mr. Garfield, under date of November 16, 1880, replied: "I do not think there is any serious danger in the direction to which he refers, though I am receiving what I suppose to be the usual number of threatening letters on that subject. Assassination can no more be guarded against than death by lightning; and it is not best to worry about either." Hardly had President Garfield entered upon his high duties when Mr. Hudson's fears were realized. This was only six weeks after the murder of Czar Alexander II. The President had never been in better spirits than on the morning of July 2, 1881. Before he was up one of his sons entered his room. Almost the boy's first words were "There!"—taking a flying leap over his bed—"you are the President of the United U. S. Vol. 8—12

States, but you can't do that." Whereupon the Chief Magistrate arose and did it. Later in the morning, thus healthy and jovial, he entered the railway station at Washington, intending to take an Eastern trip. Charles J. Guiteau, a disappointed office-seeker, crept up behind him and fired two bullets at him, one of which lodged in his back.

The country already had a deep affection for Mr. Garfield, all except those immediately interested in party politics, and many of these sympathizing with him against Conkling in the struggle that had arisen over appointments. Democrats honored him for his course in this business. The terrible misfortune now come upon him ostensibly in consequence of his boldness in that matter wonderfully endeared him to the popular heart. He was likened to Lincoln, as another "martyr President." In all the churches throughout the North, often as the congregations met for worship, earnest prayers were offered for the President's recovery. In every city crowds watched the bulletin boards daily from morning till night to learn from the despatches constantly appearing the distinguished sufferer's condition. The bullet had pierced the tissues by a long, angry, and crooked course, leaving a wound that could not be properly drained. Spite of treatment by the most famous medical practitioners—whom, however, high authorities deemed somewhat fussy and irresolute in handling the case—blood-poisoning set in, and at length proved fatal. The President's hardy constitution enabled him to fight for life as few could have done. He languished on and on, through weeks of dreadful suffering, till September 19th, when he died.

On the 21st of December, the Houses of Congress passed resolutions for memorial services, to occur on February 27, 1882, to which were invited the President and ex-Presidents, the heads of departments, Supreme Court Judges, Ministers of foreign countries, Governors of States, and distinguished officers of the army and the navy. Upon that occasion Mr. Blaine delivered an oration on the life and character of the dead Chief Magistrate. The closing periods ran: "As the

end drew near, his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from its prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of its heaving billows, within sound of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails, whitening in the morning light; on its restless waves rolling shoreward to break and die beneath the noonday sun; the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a further shore, and fell already upon his wasted brow the breath of the eternal morning."

The sorrow over President Garfield's death, said George William Curtis, in another eulogy, was "more world-wide and pathetic than ever before lamented a human being. In distant lands men bowed their heads. The courts of kings were clad in mourning. The parish bells of rural England tolled, and every American household was hushed with pain as if its first-born lay dead."

It may be doubted whether posterity will give Mr. Garfield quite the high place assigned him by contemporary judgment; yet he was certainly among our greater men. Somewhat vacillating and passive, and too much dominated by Blaine's stronger nature, Garfield was a man of solid character, no little personal magnetism, and great information. In many respects he and Blaine were alike. In aptness for personal intercourse with men, and in the power of will, he was Blaine's inferior, while in logic, learning, and breadth of view he was in advance of Blaine.

Guiteau had been by spells a politician, lawyer, lecturer,

theologian, and evangelist. He pretended to have been inspired by Deity with the thought that the removal of Mr. Garfield was necessary to the unity of the Republican party and to the salvation of the country. He is said to have exclaimed, on being arrested: "All right, I did it and will go to jail for it. I am a Stalwart, and Arthur will be President." His trial began in November and lasted over two months. The defence was insanity. The prosecution showed that the man had long been an unprincipled adventurer, greedy for notoriety; that he first conceived the project of killing the President after his hopes of office were finally destroyed; and that he had planned the murder several weeks in advance.

The public rage against Guiteau knew no bounds. Only by the utmost vigilance on the part of his keepers was his life prolonged till the day of his execution. Sergeant Mason, a soldier set to guard him, fired into Guiteau's cell with the evident intention of applying to the assassin assassins' methods. The sergeant was tried by court-martial, dismissed from the army, deprived of his back pay, and sentenced to eight years in the Albany Penitentiary. Two months later, as they were taking the wretched Guiteau from jail to court, a horseman, dashing past, fired a pistol at him, the bullet grazing his wrist.

The prisoner's disorderly conduct and scurrilous interruptions of the proceedings during his trial, apparently to aid the plea of insanity, impaired the dignity of the occasion and elicited, both at home and abroad, comment disparaging to the court. Judge Cox threatened to gag the prisoner or send him out of court; but as neither of these courses could be taken without infringing Guiteau's right to confront his accusers and to speak in his own behalf, the threats were of no avail.

Guiteau was found guilty in January, 1882. As the last juror signified his assent to the verdict the condemned man sprang to his feet and shrieked: "My blood will be upon the heads of that jury. Don't you forget it! God will avenge

this outrage!" He was executed at Washington on June 30, 1882, and his skeleton is now in the Army Medical Museum in that city. The autopsy showed no disease of the brain.

Although it had no logical connection with the spoils system, the assassination of President Garfield called the attention of the country to the crying need of reform in the civil service. Through March, April, May, and June, 1881, Washington streets had been blockaded with office-seekers and political adventurers, bearing "testimonials" of their worth, seeking indorsers and backers and awaiting chances to "interview" the President himself. Contributors to the election fund were especially forward in demanding positions. The President's time and strength were wasted in weighing the deserts of this or that politician or faction of a State to control patronage there. All who had known him in the army, in Congress or at home now made the most of such acquaintance.

We have seen that Hayes's Administration marked in this respect, as in others, an immense improvement. Secretary Schurz in the Interior Department enforced competitive examinations. They were applied by Mr. James to the New York Post-Office, and, as a result, one-third more work was done with less cost. Similar good results followed the adoption of the "merit system" in the New York Customhouse after 1879. President Hayes also strongly condemned political assessments upon office-holders, but with small practical effect, as his effort lacked full legislative sanction and sympathy.

But the corruption which had enjoyed immunity so long could not be put down all at once. During Hayes's last years, and thereafter, much public attention was drawn to the "Star Route" frauds. The Star Routes were stage-lines for carrying the mails in sections of the West where railroads and steamboats failed. In 1878 there were 9,225 of these Star Routes, for the maintenance of which Congress in that year appropriated \$5,900,000. A Ring made up on the one hand of Democratic and Republican public men, some of

these very prominent, and on the other hand of certain mail contractors, managed to increase the remuneration for service on 135 pet routes from \$143,169 to \$622,808. On twenty-six of the routes the pay-roll was put up from \$65,216 to \$530,319. The method was, first, to get numerous signed petitions from the districts interested, praying for an increase in the number of trips per week and shortening the schedule time of each trip, get "estimates" from the contractors vastly in excess of actual cost for the service, get these estimates allowed at Washington, and then divide profits between the "statesmen" and citizens interested in the "deal." Over some of these lines, it was asserted, not more than three letters a week were carried.

Attention was drawn to the Star Route matter before the close of Hayes's term, but exposure was staved off until Mr. James, "the model New York Postmaster," assumed the office of Postmaster-General. On May 6, 1881, Mr. James wrote Thurlow Weed: "Rest assured I shall do my whole duty in the matter of the Star Route swindlers. It is a hard task, but it shall be pushed fearlessly, regardless of whom it may involve."

Thomas W. Brady, Second Assistant Postmaster-General, was supposed to be a member of the Ring. At any rate, he threatened, unless proceedings were stopped, to publish a letter of President Garfield's written during the campaign. This he did. It was the famous "My dear Hubbell" epistle. The writer, addressing "My dear Hubbell," hoped that "he" (referring to Brady) "would give them all the assistance possible." According to Brady, this meant that he should, among other things, get money from the Star Route contractors. Garfield insisted that it was simply a call on Brady to contribute from his own pocket. In the next sentence of the letter, however, the Presidential candidate asks: "Please tell me how the departments generally are doing." This will hardly bear any other construction than that of party extortion from the Government employees, especially since this same Hubbell, as chairman of the Republican Congressional

Committee, was later called to account by the reformers for levying two per cent assessments upon the clerks—styled by him and his friends “voluntary contributions.” Whether Brady’s *tu quoque* availed him, or for some other reason, his trial was postponed and he was never convicted. Senator Dorsey, of Arkansas, was also arraigned, but, upon his second trial, in 1883, was acquitted. Indeed, of those prosecuted for fraud in connection with the Star Routes, only one was ever punished; and in this case the Government was in error, as the man was innocent.

The tragic fate of President Garfield, taken in connection with these and other revelations of continuing political corruption, brought public sentiment on civil service reform to a head. A bill prepared by the Civil Service Reform League, and in 1880 introduced in the Senate by Senator Pendleton, of Ohio, passed Congress in January, 1883, and on the 16th of that month received the signature of President Arthur.

Renewing, in the main, the provisions adopted under the Act of 1871, it authorized the President, with the consent of the Senate, to appoint three Civil Service Commissioners, who were to institute competitive examinations open to all persons desiring to enter the employ of the Government. It provided that the clerks in the departments at Washington, and in every customs district or post-office where fifty or more were employed, should be arranged in classes, and that in the future only persons who had passed the examinations should be appointed to service in these offices or promoted from a lower class to a higher, preference being given according to rank in the examinations. Candidates were to serve six months’ probation at practical work before receiving a final appointment.

The bill struck a heavy blow at political assessments, by declaring that no official should be removed for refusing to contribute to political funds. A Congressman or Government official convicted of soliciting or receiving political assessments from Government employees became liable to

\$5,000 fine or three years' imprisonment, or both. Persons in the Government service were forbidden to use their official authority or influence to coerce the political action of any one, or to interfere with elections. Dorman B. Eaton, Leroy D. Thoman, and John M. Gregory were appointed commissioners by President Arthur. By the end of the year the new system was fairly in operation. Besides the departments at Washington, it applied to eleven customs districts and twenty-three post-offices where fifty or more officials were employed.

CHAPTER XIII.

DOMESTIC EVENTS DURING MR. ARTHUR'S ADMINISTRATION.

Mr. Arthur's Dilemma—His Accession—Responsibility Evokes His Best — The Presidential Succession Question — Succession Act Passed—Electoral Count Act Passed—Arthur's Cabinet—Condition of the Country in 1881—Decadence of Our Ocean Carrying —Tariff Commission of 1882 and the Tariff of 1883—Mahone and the Virginia "Readjusters"—Mahone's Record—His Entry Into the Senate—President Arthur and the Chinese—Origin of the Chinese Question—Anson Burlingame—The 1878 Embassy —Chinese Throng Hither—Early California—The Strike of 1877 Affects California—Rise and Character of Denis Kearney—His Programme—The "Sand-Lot" Campaign—Kearney's Moderation —He is Courted—And Opposed—His Constitutional Convention —Its Work—Kearneyism to the Rear—The James Desperadoes—Their Capture—The Yorktown Celebration—Mementoes of Old Yorktown—The Pageant—"Surrender" Day—The Other Days—Close of the Fete—Flood and Riot in Cincinnati.

DURING Garfield's illness Mr. Arthur's predicament had been most delicate. The second article of the Constitution provides that "in case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of said office, the same shall devolve on the Vice-President." What is here meant by a President's "inability," and how or by whom such inability is in any case to be ascertained, had never been determined. Was the question of "inability" to be decided by the President himself, by the Vice-President, or by Congress? Could the Vice-President take up Presidential duties temporarily, giving way again to the President in case the latter recovered, or must he, having begun, serve through the remainder of the four years, the once disabled President being permanently out of office? These problems doubtless weighed heavily upon Mr. Arthur's mind while his chief lay languishing. They were everywhere discussed daily. A popular view was

advocated by General Butler, to the effect that the Vice-President himself was charged with the duty of deciding when to take up the higher functions. As Garfield's was a clear case of "inability to discharge the powers and duties of the Presidency," Mr. Arthur may actually have felt it, from a technically legal point of view, incumbent upon him to assume these "powers and duties." In a Cabinet meeting Mr. Blaine suggested that Mr. Arthur be summoned to do this, intimating that the chief direction ought certainly to be devolved on Arthur should an extraordinary emergency in administration arise. It was fortunate that no such emergency occurred, and that Mr. Arthur did not feel for any reason called upon to grasp the reins of government. At this critical juncture he might easily have acted, or even spoken, in a manner seriously to compromise himself and his country. Far from doing anything of the sort, he was singularly discreet through the whole trial.

Hardly had Garfield breathed his last, when, the same night, in the small morning hours of September 20, 1881, Mr. Arthur took oath as President. This occurred in his house in New York City, Judge Brady, of the New York State Supreme Court, officiating. The next day but one, the oath was again administered by Chief Justice Waite in the Senate Chamber at Washington. On this occasion Mr. Arthur delivered a brief inaugural address. He said: "The memory of the murdered President, his protracted sufferings, his unyielding fortitude, the example and achievements of his life and the pathos of his death, will forever illuminate the pages of our history. Men may die, but the fabrics of our free institutions remain unshaken. No higher or more assuring proof could exist of the strength and power of popular government than the fact that, though the chosen of the people be struck down, the Constitutional successor is peacefully installed without shock or strain."

Responsibility brought out the new President's best qualities. He had little special preparation for his exalted office. Save among the New York Republicans, he was almost un-

known till his nomination as Vice-President, and when he succeeded Garfield there was much misgiving. Yet his Administration was distinguished as few have been for ability, fairness, elevation of tone, and freedom from mean partisanship. He was extremely diligent, circumspect, considerate, and firm. That he had nerve men saw when, in 1882, he resolutely vetoed a portentously large River and Harbor Bill. His public papers were in admirable spirit, thoroughly considered, and written in a style finer than those of any preceding President since John Quincy Adams.

The country's ordeal in connection with Garfield's death led to an important piece of legislation. Few were then or are now aware by what a slender thread the orderly government of our country hung between the shooting of Garfield in July, 1881, and the second special session of the Senate of the Forty-seventh Congress the following October. Had Mr. Arthur died at any moment during this period—and it is said that he was for a time in imminent danger of death—or had he become in any way unable to perform a President's duties, there could have been no Constitutional succession to the Presidency. The law of March, 1792, declares that in case the Vice-President as well as the President dies, is removed, or is disqualified, "the President of the Senate *pro tempore*, or, if there is none, then the Speaker of the House of Representatives for the time being, shall act as President until the disability is removed or a President elected." But at the time of Garfield's assassination, neither a President *pro tempore* of the Senate nor a Speaker of the House existed. It had been customary for the Vice-President before the end of a session of the Senate to retire, and so require the appointment of a President *pro tempore* who should continue as such during the recess; but on this occasion the special session of the Senate in May had adjourned without electing any such presiding officer. On October 10th Senator Bayard was made President *pro tempore* of the Senate, followed on the 13th by Senator David Davis. Of course there could be no Speaker at this time, as the Forty-sixth Congress had

ceased to exist in March, and the House of the Forty-seventh did not convene till December.

In his first annual message President Arthur commended to the "early and thoughtful consideration of Congress" the important questions touching the Presidential succession which had so vividly emerged in consequence of his predecessor's assassination. It had been a question whether the statute of 1892 was Constitutional. The ground of the doubt was that, according to the doctrine agreed to when, in 1798, an attempt was made to impeach Senator Blount, of Tennessee, Speakers of the House and temporary Presidents of the Senate are not, technically, "officers of the United States." Hence, were either a Speaker or a temporary head of the Senate to take a President's place, Presidential duties would be devolved on an official who could not be impeached for malfeasance. The law of 1792 was objectionable for other reasons. It originally passed only by a narrow majority. Many then wished that the Presidential succession should take the direction of the Secretary of State, and had not Jefferson held this office at the time the law would probably have so provided.

On the second day of its first regular session the Senate of the Forty-seventh Congress ordered its Judiciary Committee to consider the question of the Presidential succession, inquire whether any, and if so, what, further legislation was necessary in respect to the same, and to report by bill or otherwise. A bill to meet the case was soon introduced by Senator Garland, of Arkansas. The matter was briefly debated both then and at intervals for a number of years; but no legislation upon it occurred till January, 1886, when the Forty-ninth Congress passed a law based on Garland's draft. It provided that if the Presidency and the Vice-Presidency are both vacant the Presidency passes to the members of the Cabinet in the historical order of the establishment of their departments, beginning with the Secretary of State. If he dies, is impeached, or disabled, the Secretary of the Treasury becomes President, to be followed in like crisis by the Secretary of

War, he by the Attorney-General, he by the Postmaster-General, he by the Secretary of the Navy, and he by the Secretary of the Interior. To be thus in the line of the Presidential succession a Cabinet officer must have been duly confirmed as such and must be Constitutionally eligible to the Presidency. If Congress is not in session when one of these officers thus comes to the Presidency, and is not to convene in twenty days, the new President must issue a proclamation convening Congress after twenty days, and Congress must then order a new election for President.

The Forty-ninth Congress also passed, on February 3, 1887, an act to fix the day for the meeting of the electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President and the decision of questions arising thereon. The ascertainment of the electors within and for any State is so far as possible made the business of that State, any judicial determination made for this purpose within six days of the electors' meeting being binding on Congress. In case of a single return fixing the *personnel* of the electors the vote of any elector can be rejected only by the two Houses concurrently agreeing that it was not legally cast. In case of conflicting returns one of which a State tribunal has adjudged to be legal, only those votes denoted by this return can be counted. If there is a question which of two or more authorities or tribunals had the right to determine the legal electoral vote of the State, the votes, being regularly cast, of the electors whose title the two Houses acting separately concurrently decide to be the legal ones, are counted. If there has been no determination of the question of electors' legitimacy, those votes and those only are counted which the two Houses concurrently decide to have been cast by the lawful electors; unless the two Houses acting separately concurrently decide that such votes were not the legal votes of the legally elected electors.

We still have no legal or official criterion of a President's "inability to discharge the powers and duties of his office,"

nor has any tribunal been designated for the settlement of the question when it arises. We do not know whether, were another President so ill as Garfield was, it would be proper for the Cabinet to perform Presidential duties, as Garfield's did, or whether the Vice-President would be bound to assume those duties. Barring this chance for conflict, it is not easy to think of an emergency in which the Chief Magistracy can now fall vacant or the appropriate incumbent thereof be in doubt.

The only member of Garfield's Cabinet whom Arthur permanently retained was Robert T. Lincoln, Secretary of War. However, the old Cabinet did not dissolve at once. Not till December 19, 1881, did Mr. Blaine, who had practically been at the head of the Government from the President's assassination till his death, surrender the State portfolio. Frederick T. Frelinghuysen, of New Jersey, took his place. Ex-Governor Edwin D. Morgan, of New York, had been nominated and confirmed as Secretary of the Treasury, but had declined on account of ill health. Judge Charles J. Folger took the Treasury portfolio November 15, 1881. In April, 1882, William E. Chandler, of New Hampshire, and Henry M. Teller, of Colorado, were called to the Navy and Interior Departments respectively. January 5, 1882, Timothy O. Howe, of Wisconsin, was confirmed as Postmaster-General, but he died in March, 1883. Walter Q. Gresham succeeded him. Benjamin H. Brewster, of Pennsylvania, was confirmed Attorney-General in December, 1881. Secretary Folger died in 1884. Gresham was then transferred to the Treasury, Assistant Postmaster-General Frank Hatton being advanced to the head of the Post-Office Department. Mr. Gresham soon resigned to accept a Circuit Judgeship on the Seventh Circuit. His place as Secretary of the Treasury was filled by Hugh McCulloch, who had administered most acceptably the same office from 1865 to 1869.

In addressing Congress for the first time, President Arthur was able to represent the condition of the country as excellent. Colorado had been admitted to the Union in

1876. During the decade ending in 1880 our population had grown somewhat over twenty-five per cent, that is, from thirty-eight millions to fifty millions. The net public debt, December 31, 1880, was a trifle less than \$1,900,000,000, a decrease in the face of the debt of \$600,000,000 in the ten years. Agricultural production was found to have advanced one hundred per cent, while, according to the ninth census, the increase from 1870 to 1880 had been but twelve per cent. The tenth census corrected certain figures relating to our national area, making the country eight hundred square miles smaller than it had been supposed to be.

Americans thought it a serious matter that for the year 1879 the foreign trade of Great Britain exceeded \$3,000,000,000, two and a half times the amount of ours. It was also a source of solicitude that we were the only civilized country in the world whose ocean-carrying had absolutely decreased since 1856. In that year American ships bore seventy-five per cent of all we exported and of all we imported. In 1878 American ships bore twenty-five per cent; in 1882 fifteen per cent. Though our foreign commerce had increased seventy per cent in amount, the cargoes transported in American ships were \$200,000,000 less valuable in 1878 than in 1857. In 1856 foreign vessels entered at our ports had a tonnage of 3,117,034. By 1881 it had increased 308 per cent or to 12,711,392 tons, of which 8,457,797 sailed under the Union Jack. On the other hand, American tonnage from foreign ports, in the same period, increased from 1,891,453 to 2,919,149, or only 54 per cent. "The continuing decline of the merchant marine of the United States," wrote President Arthur, "is greatly to be deplored. In view of the fact that we furnish so large a proportion of the freights of the commercial world, and that our shipments are steadily and rapidly increasing, it is a cause of surprise that not only is our navigation interest diminishing, but it is less than when our exports and imports were not half so large as now either in bulk or in value."

An Act of Congress passed May 15, 1882, created a

Tariff Commission consisting of prominent manufacturers and others, viz.: J. L. Hayes, H. W. Oliver, A. M. Garland, J. A. Ambler, Robert P. Porter, J. W. H. Underwood, A. R. Boteler, and Duncan F. Kennon. After long investigation and deliberation, having examined many witnesses, these gentlemen brought in in December an able, luminous, and comprehensive report of 2,500 printed pages, forming an invaluable exhibit of our then customs laws, their merits and defects. Part of it ran: "In the performance of the duty devolved upon them, all the members of the Commission have aimed, and, as they believe, with success, to divest themselves of political bias, sectional prejudice, or considerations of personal interest. It is their desire that their recommendations shall serve no particular party, class, section, or school of political economy."

In this report the Commission recommended an average reduction in tariff rates of not less than 20 per cent. In certain rates a lowering of 50 per cent was urged. The Senate amended a House internal revenue measure by adding a tariff bill calculated to effect some reduction, though less radical and less impartial than that wished by the Commission. "If the Senate Finance Committee had embodied in this bill the recommendations of the Tariff Commission, including the schedules, without amendment or change, the tariff would have been settled for many years. Unfortunately, this was not done, but the schedules prescribing the rates of duty and their classification were so radically changed by the Committee that the scheme of the Tariff Commission was practically defeated. Many persons wishing to advance their particular industries appeared before the Committee and succeeded in having their views adopted."¹

A two-thirds vote was required to bring this Senate bill before the House. Wishing it referred to a conference committee, which would be to their advantage, the high-protection leaders in the House adroitly got the rules revised, en-

¹ John Sherman, "Recollections."

abling a bare majority to non-concur in the Senate amendment, but not to concur therein so as to pass the bill. The measure, therefore, went to the Conference Committee. There it took on features much more highly protectionist. The resulting act, the tariff law of 1883, in some instances advanced customs rates even over their former figures, making them higher than either Commission, Senate, or House had proposed, closely approximating those of the old War tariff. The average diminution from the tariff as it previously stood was, perhaps, about four per cent.

This act paved the way for infinite trouble over the tariff. It was full of irrational and contradictory provisions, and, as a whole, pleased nobody. Each industry wished what it purchased treated as raw material, to be tarified low or not at all, and what it sold considered as the finished article, to receive the highest rates. Struggle over these conflicting interests was apparent in the many incongruous features of the act.

It was significant that Mr. Arthur's first message made no allusion to the Southern question. All felt, so well had Mr. Hayes's policy worked, that that section might now be safely left to itself. Meantime the "Readjuster" controversy in Virginia bade fair to be the entering wedge for a split in the solid South. The Readjusters were a Democratic faction taking name from their desire to "readjust" the State debt on a basis that meant partial repudiation. In 1879, by a fusion with the Republicans, the Readjusters controlled the State and elected their leader, William Mahone, to the United States Senate. Mahone had been a major-general in the Confederate Army, and his bravery greatly endeared him to the Southern heart. He it was who commanded the slender contingent of Confederates at Petersburg on July 30, 1864, when the mine on Burnside's front was exploded. He there fought like a tiger, and made his dispositions with the utmost skill and coolness. To him almost alone was due the credit that day of keeping Petersburg from Union hands and of replacing the Confederate lines by sunset exactly where they

were at sunrise. Had the Confederacy endured, he should have been one of its Presidents for his meritorious services in this battle. The negro vote helped Mahone. He had always favored fair treatment for the black man. In his county the blacks had voted freely and their votes had been counted as cast. Good provision for colored schools had also been made there.

The Virginian's entry into the Senate in 1881 was marked by a dramatic passage at arms. His personal appearance drew attention. He had been a striking figure in battle uniform, and he was hardly less so in citizen's attire. He wore a close-bodied suit of brown broadcloth, frilled cuffs extending beyond the sleeves. He had a small head and spindle legs. His hair and beard were long, his stature diminutive. One described him as "a spry midget, full of Irish fire, who enjoyed cutting a national figure." As elected, the Senate of the Forty-seventh Congress had a small Republican majority, but Garfield's Cabinet appointments, calling away the three Republican Senators—Blaine, Kirkwood, and Windom—left the two parties in the body equally divided. When the fight for organization came on there were thirty-seven sure Republicans and thirty-seven sure Democrats, not counting David Davis or Mahone, both of whom were expected to act more or less independently of party. Davis, favoring the *status quo* and evidently expecting Mahone to vote with the Democrats in organizing, declared himself resolved "to support the organization of the Senate as it stood." It had till now been Democratic. Had Mahone sided with him, the committees as made up by the Democratic caucus would have been elected. But in spite of Democratic pleadings and denunciation, Mahone concluded to support the Republicans. This tied the Senate, even if Davis voted with the Democrats, and Vice-President Arthur could of course be counted on to turn the vote the Republican way. This he did in postponing indefinitely the motion to elect the Democratic committees and in electing the Republican list. When it came to choosing sergeant-at-arms and

clerks, Davis, now favoring the new status, as before he had the old, voted with the Republicans.

Mahone's course aroused great wrath, especially among the Southern Senators. "Who is that man?" cried Senator Hill, of Georgia, amid laughter from the Republican side of the Chamber. "Who is that man so ambitious to do what no man in the history of this country has ever yet done—stand up in this high presence and proclaim from this proud eminence that he disgraces the commission he holds? Such a man is not worthy to be a Democrat. Is he worthy to be a Republican?" In rejoinder Mahone, while declaring himself a Democrat in principle, denied that he was indebted to the Democratic party for his place in the Senate. He concluded: "I want that gentleman to know henceforth and forever that here is a man who dares stand and defend his right against you and your caucus." Senator Hill's query was forthwith answered. Mahone was welcomed by the Republicans with open arms. A bouquet of flowers, said to be from President Garfield, was sent to his desk, and Federal patronage in Virginia was placed at his disposal.

A storm of indignation from the Pacific Coast fell upon President Arthur's head when, in 1882, he vetoed a bill for restricting Chinese immigration. To understand the reason of his act and of his unpopularity, a brief review is necessary.

What originally brought the Chinaman to our shores was the discovery of gold in California. At first he was not unwelcome. Said the "*Alta California*" of May 12, 1851: "Quite a large number of Celestials have arrived among us of late, enticed hither by the golden romance which has filled the world. Scarcely a ship arrives that does not bring an increase of this worthy integer of our population." The "worthy integer" was soon engaged in an exciting though not enviable part of the "golden romance," for the next year we read that gangs of miners were "running out" Chinese settlers. This race strife on the Coast was incessant both during and after the war.

Meantime, Anson Burlingame, our Minister to China, who during an intercourse of some years had come to possess the confidence of the Chinese in an unusual degree, had been intrusted by them with a mission which at first seemed as though it might lead to new relations. On his return he bore credentials constituting him China's ambassador to the United States and to Europe. He proceeded to negotiate with this country a treaty of amity, which was signed on July 4, 1868. But anti-Chinese agitation did not cease. In 1871 occurred a riot in the streets of Los Angeles, when fifteen Chinamen were hanged and six others shot, Chinamen having murdered one police officer and wounded two others. In 1878 an anti-Chinese bill passed Congress, but was vetoed by President Hayes as repugnant to the Burlingame treaty. Rage against the Celestials, to which all forces in the Pacific States had bent, being thus baffled at Washington, grew more clamorous than ever.

On September 28, 1878, a new Chinese embassy waited upon President Hayes. The ambassador, Chen Lan Pin, wore the regulation bowl-shaped hat, adorned with the scarlet button of the second order and with a depending peacock plume, caught by jeweled fastenings. His garments were of finest silk. He had on a blouse with blue satin collar, a skirt of darker stuff, sandal-shaped shoes, and leggings of the richest kid. His letter of credence was drawn by an attendant from a cylinder of bamboo embellished with gold. In this document the Emperor expressed the hope that the embassy would "eventually unite the East and the West under an enlightened and progressive civilization." The indirect issue of this embassy was a fresh treaty, ratified in March, 1881, amending the Burlingame compact.

That compact, recognizing as inalienable the right of every man to change his abode, had permitted the free immigration of Chinamen into the United States. The new treaty of 1881 so modified this feature that immigration might be regulated, limited or suspended by us for no specified period should it threaten to affect the interests of the United States

or to endanger their good order. A bill soon followed prohibiting Chinese immigration for a period of twenty years, on the ground that the presence of the Mongolians caused disorder in certain localities. This was the bill which President Arthur vetoed as contravening the treaty, he objecting, among much else, to the systems of passports and registration which the bill would impose upon resident Chinese. But the advocates of the exclusion policy were in earnest, wrought up by the growing hordes of Celestials pressing hither.

Only sixty-three thousand Chinese had been in the country in 1870; in 1880 there were one hundred and five thousand. Another bill was at once introduced, substituting ten for twenty years as the time of suspension, and it became a law in 1882. China sent a protest, which availed naught.

Interwoven with the Chinese agitation, as well as with nearly all the national problems of that day and this, was the movement known as Kearneyism, which took form in California in 1877 and found expression in the State Constitution of 1879. Habits of mental unrest, engendered by speculation and the gold fever, had marked California society since 1849. A tendency existed to appeal to extra-legal measures for peace and justice. The golden dream had faded. Although wages were higher in California than in most parts of the country, working people there showed much discontent. In no State had land grants been more lavish or the immense size of landed estates more injurious. Farming their vast tracts by improved machinery, the proprietors each season hired great throngs of laborers, who, when work was over, betook themselves to the cities and swelled the ranks of the unemployed. Worse yet, California was in the hands of a railroad monopoly which, by threats or blandishments, controlled nearly every State official. Politics were corrupt and political factions, with their selfish and distracting quarrels, were numerous. The politician was hated next to the "Nob" who owned him.

The immediate occasion of Kearneyism was the great railroad strike at the East in 1877. The California lines,

having announced a reduction of wages, were threatened with a similar strike, but took alarm at the burning and fighting in Pittsburg and rescinded the notice. Nevertheless, a mass-meeting was called to express sympathy with the Eastern strikers. It was held on July 23d. The new-rich grandees trembled. Authorities took precautions, but at the meeting no disorder occurred. During this and two following evenings, a number of Chinese wash-houses were destroyed and some persons killed. The violence was naturally ascribed to the workingmen. A Committee of Public Safety was organized under William T. Coleman, President of the Vigilance Committee of 1856. The laboring men denied their alleged complicity with the lawlessness, and a number enlisted in Mr. Coleman's "pick-handle brigade," which patrolled the city for a few days. Among the pick-handle brigadiers was Denis Kearney, a man at once extreme in theories and language and singularly temperate in personal habits. Born in 1847, at Oakmount, Ireland, from eleven years of age to twenty-five he had followed the sea, but since 1872 had prospered as a drayman in San Francisco. He was short, well built, with a broad head, a light mustache, a quick but lowering blue eye, ready utterance and a pleasant voice. He was of nervous temperament, and had the bluster and domineering way of a sailor, withal possessing remarkable shrewdness, enterprise, and initiative. For two years he had spent part of each Sunday at a lyceum for self-culture, where he had leveled denunciations at the laziness and extravagance of the working-classes, at the opponents of Chinese immigration and at anti-capitalists in general.

For some reason, whether from a change of heart, or on account of unlucky dabbling in stocks, or because rebuffed by Senator Sargent, Kearney determined to turn about and agitate against all that he had held dear. On September 12, 1877, a company of the unemployed in San Francisco assembled and organized "The Workingmen's Party of California." Its salient principles were the establishment of a State Bureau of Labor and Statistics and of a State Labor Commis-

sion, the legal regulation of the hours of labor, the abolition of poverty along with all land and moneyed monopoly, and the ejection of the Chinese. Kearney, conspicuous among the extremists, was chosen president. His advanced ideas were incorporated into the party's creed, as follows:

"We propose to wrest the Government from the hands of the rich and place it in those of the people. We propose to rid the country of cheap Chinese labor. We propose to destroy land monopoly in our State. We propose to destroy the great money power of the rich by a system of taxation that will make great wealth impossible. We propose to provide decently for the poor and unfortunate, the weak, the helpless, and especially the young, because the country is rich enough to do so, and religion, humanity, and patriotism demand that we should do so. We propose to elect none but competent workingmen and their friends to any office. The rich have ruled us till they have ruined us. We will now take our own affairs into our own hands. The Republic must and shall be preserved, and only workingmen will do it. Our shoddy aristocrats want an emperor and a standing army to shoot down the people. When we have 10,000 members we shall have the sympathy and support of 20,000 other workingmen. The party will then wait upon all who employ Chinese and ask for their discharge, and it will mark as public enemies those who refuse to comply with their request. This party will exhaust all peaceable means of attaining its ends, but it will not be denied justice when it has power to enforce it. It will encourage no riot or outrage, but it will not volunteer to repress, or put down, or arrest, or prosecute the hungry and impatient who manifest their hatred of the Chinamen by a crusade against John or those who employ him. Let those who raise the storm by their selfishness suppress it themselves. If they dare raise the devil, let them meet him face to face."

Soon began the memorable sand-lot meetings, made famous by the San Francisco "Chronicle," which sent its best reporters to describe them. From his new eminence the agi-

tator returned this favor by advising his hearers to boycott the "Morning Call" and subscribe for its rival, the "Chronicle." His speeches were directed partly against the Chinese, but chiefly against the "thieving politicians" and "blood-sucking capitalists." At one gathering he suggested that every workingman should get a gun, and that some judicious hanging of aristocrats was needed. The sand-lot audiences were largely composed of foreigners, Irishmen being the most numerous, but even the Germans caught the infection. The orator could cater to their prejudices with effect, as he did in an address before the German Club in March, 1878: "Pixley said to me that the narrow-faced Yankees in California would clean us out, but I just wish they would try it. I would drive them into the sea or die." On the other hand, in the Kearneyites' Thanksgiving day parade, appealing to the whole people, none but United States flags were carried, and none but Union veterans carried them. The leader affected the integrity and stoicism of a Cato. As Cato concluded every oration of his with the impressive "*Carthago delenda est*," so Kearney introduced each of his harangues with "The Chinese must go!" The contest against the Chinese, he said, would not be given up till there was blood enough in Chinatown to float their bodies to the bay. Still, on one occasion, a poor Chinaman at the mercy of hoodlums owed his rescue to the Kearneyites alone.

Much as Kearney delighted in scaring the timid nabobs of San Francisco, he was careful to keep within the law. More than once, while himself breathing out threatenings and slaughter, he tactfully restrained his devotees from excesses. Shrewdly estimating the value of martyrdom, he once said: "If I don't get killed I will do more than any reformer in the world. But I hope I will be assassinated, for the success of the movement depends upon that." The horns of this dilemma crossed, but each pointed in a hopeful direction. The leader's yearning for persecution was gratified. On October 29th about two thousand workingmen collected at Nob Hill, where the railway magnates lived. Bon-

fires being lighted, Kearney launched his philippic. The "Nobs" heard the jeers at their expense, and looked out upon the lurid scene in alarm. They had Kearney and other leading spirits arrested on the charge of using incendiary language. The city government passed a sedition ordinance known as the Gibbs gag law, and the Legislature enacted a ridiculously stringent riot act.

The two laws were still-born and harmless. The only effect of the arrests and of the new legislation was to give Kearney additional power. On his release from jail he was hailed as a martyr, crowned with flowers, and drawn in triumph on his own dray. A Yorkshire shoemaker and evangelist named Wellock—"Parson Wellock" he was called—preached Kearneyism as a religion. He was tall, with a narrow head, high forehead, and a full, short beard. At each Sunday sand-lot assembly he used to read a text and expound its latter-day bearings. Speaking of the monopolists, he said: "These men who are perverting the ways of truth must be destroyed. In the Bible the Lord is called a consuming fire. When he commands we must obey. What are we to do with these people that are starving our poor and degrading our wives, daughters, and sisters? And the Lord said unto Moses, 'Take all the heads off the people and hang them up before the Lord.' This is what we are commanded by the Supreme Being to do with all that dare to tread down honesty, virtue, and truth."

Both parties began to court Kearney. Aspirants for office secretly visited him. Office-holders changed from hostility to servility. The railroad kings, if they failed to moderate his language, found ways to assuage his hatred. Hirelings of corporate interests joined the Kearneyites and assisted them to carry out their wishes. Even the better classes more and more attended his harangues, partly from curiosity, partly from sympathy, partly from disgust at the old parties. The enthusiastic compared him with Napoleon and Cæsar. The party of the sand lots, Kearney nominally its president, really its dictator, spread over and controlled

U. S. VOL. 8.—13.

the State. This result assured, "reform" needed only that a new State Constitution should be adopted, properly safeguarding the people against monopolies and the Chinese. Agitation for a Constitutional Convention was at once begun and pushed till successful.

The very immensity of the new party's growth begot reaction. The monopolists intensely hated Kearney at the very moment when they most sought to use him. His chief strength lay in the city populace. The Grangers sympathized and in many measures co-operated with him, yet maintained a becoming independence. In the city, too, there was a rival labor organization, set on foot at that first mass-meeting held to express sympathy for the Pittsburg strikers. Though Kearney's braggadocio "took" wonderfully with the people, this body let slip no chance for denouncing the man's extreme notions and assumption. Numerous and active enemies were made by Kearney's inability to brook aught of opposition or rivalry. By a motion of his hand he swept out of existence the Central Committee of his party. He liked best his most fulsome eulogists, and selected lieutenants whom he could fling aside the instant they hampered or crossed him. Many so treated beset him afterward like fleas. The Order of Caucasians, a species of anti-Mongolian Ku-Klux, with headquarters at Sacramento, was opposed to Kearney. Many men of influence and apparent impartiality, notably Archbishop Alemany, criticised his incendiary speeches, alienating some of his supporters.

Democrats now felt that by "united action" the Constitutional Convention which the Kearneyites had succeeded in getting called might be saved from their control. Accordingly a non-partisan ticket was started, which, notwithstanding some grumbling from the old "wheel-horses" of the two parties, received pretty hearty support. Despite all, by coalescing with the Grangers, the Kearneyites controlled the convention. The new California Constitution which resulted was an odd mixture of ignorance and good intentions. To hinder corruption in public office it reduced

the power of the Legislature almost to a shadow, and made the bribery of a legislator felony. To lighten taxation, particularly where it bore unduly upon the poor, the Constitution set a limit to State and local debts, taxed uncultivated land equally with cultivated land, made mortgage debts taxable where the mortgaged property lay, and authorized an income tax. However, for the benefit of the school fund, a poll tax was laid on every male inhabitant. Corporations were dealt with in a special article, which restricted them in many ways. Among other things it instituted a commission with extraordinary powers, enabling it to examine the books and accounts of transportation companies and to fix their rates for carriage. This commission, when placed in the hands of any party, uniformly violated pre-election pledges, and proceeded against the unanimous wish of Californians. Only the Commission of 1895 seemed to have taken some steps toward lowering freight rates.

After the adoption of the Constitution a more powerful reaction set in and Kearneyism soon became a thing of the past. The "Chronicle" abandoned Kearney and "exposed" him. He was called to the East in the interest of labor agitation, but had little popularity or success. He returned to San Francisco, but never again became a leader. The most pronounced result, or sequel, which the Kearney movement left behind was a fixed public opinion throughout California and all the Pacific States against any further immigration of the Chinese. The new California Constitution devoted to these people an entire article. In it they were cut off from employment by the State or by corporations doing business therein. "Asiatic coolieism" was prohibited as a form of human slavery. This sentiment toward the Celestials spread eastward, and, in spite of all opposition by interested capitalists and by disinterested philanthropists, determined the subsequent course of Chinese legislation in Congress itself.

During the years under survey Missouri as well as the Pacific States had to contend with aggravated lawlessness.

When hardly a week passed without a train being "held up" somewhere in the State, Governor Crittenden was driven to the terrible expedient of using crime itself as a police power. In the spring of 1882, Jesse James, the noted desperado, was assassinated by former members of his gang, who then surrendered to the authorities and were lodged in jail—none too soon, as an angry populace, gathering in thousands, hotly beset the slayers. Slayers and slain had been Confederate guerillas in the war. On the return of peace they became train-robbers as easily as privateers turn pirates. James, at any rate, had not been inspired by lust of gain, for in spite of robberies amounting to hundreds of thousands of dollars he died poor. He had been a church member, concerned for "his wayward brother" Frank's salvation. After his death his sect in Missouri repudiated him, while expressing strongest disapproval of the treachery used in his taking off. For nearly twenty years every effort to capture the fellow had proved futile. The nature of the country aided him, but not so much as the enthusiastic devotion of his neighbors.

This murderous chief, this ruthless man,
This head of a rebellious clan,

had made himself a hero. The Sedalia "Democrat" said: "It was his country. The graves of his kindred were there. He refused to be banished from his birthright, and when he was hunted he turned savagely about and hunted his hunters. Would to God he were alive to-day to make a righteous butchery of a few more of them."

By thus fighting fire with fire, Governor Crittenden succeeded in dispersing three other desperado bands. Upon being arraigned the men-killers pleaded guilty and were sentenced to be hanged, but they were at once pardoned. The Governor's policy, however, was most unpopular. Infinite hate and scorn were visited upon the betrayers. James's wife and mother cursed them bitterly; Dick Little, chief traitor, being the object of their uttermost loathing. "If Timberlake or Craig (the county sheriff and his deputy) had killed my poor boy," cried the mother, "I would not say

one word; but, O God! the treachery of Dick Little and those boys! Craig and Timberlake are noble men, and they have done too much for me. My poor boy who now lies there dead told me if they killed him not to say one word." Craig and Timberlake were pall-bearers at James's funeral. The Hannibal and St. Joseph Railroad extended courtesies to the bereaved widow and mother, who were on all hands treated as the heroines of the hour.

Close after President Garfield's funeral followed an event which for some days attracted the world's attention—the centennial celebration of Cornwallis's surrender at Yorktown, Va. The hamlet of Yorktown was seated on a sandy river-bank among the vestiges of the two sieges it had sustained, that of 1781 and that of 1861, the Confederate works thrown up in the last-named year not having completely erased the defences erected by Cornwallis. The Confederate fortifications were to be seen in 1881, as also some of McClellan's approaches. The site of Washington's headquarters, still known as "Washington's Lodge," was pointed out two and a half miles back from the river. The buildings were burned during the Civil War, but the house had been rebuilt. The old Nelson House, gray, ivy-grown, massive, was standing; also the West House, built by Governor Nelson for his daughter, Mrs. Major West, midway between the Nelson House and the Monument; while a mile away was the Moore House, Cornwallis's quarters at the time of his surrender. Its exterior was tricked out with red, yellow, and green paint effects which, inside, æsthetic wall-paper and fine carpets strove to match.

The Moore House was, in a very true sense, the central spot of American History. It was historic sixty years before the Revolution, when it was Governor Spotswood's residence. In the "Temple," near by, was presented the relic of a still older strife, the tomb of Major William Gooch, who died in 1655. In the chimney of the Moore House was a cannon-ball hole, and in one of its corner rooms was

still preserved the table whereon the articles of Cornwallis's surrender had been drawn. Its roof sheltered Lafayette and Rochambeau; also Washington in the proudest moment of his life. It was in 1896 the residence of Mr. A. O. Mauck. Standing in the midst of Temple Farm, it commanded a beautiful view of Chesapeake Bay, of Yorktown Monument, and of quaint old Yorktown. Near by was a mill, built on the very foundations of the one where was fired the first shot in the Cornwallis siege. A shaft fifteen feet high, made of brick taken from the first court-house in York County, laid in German cement, has been erected by the Superintendent of the National Cemetery on the spot where Cornwallis's sword was delivered to General Lincoln. This shaft was dedicated on October 19, 1895, and placed in the care of the school children of our country to preserve.

Once redeemed from the British and once from Confederate rule, Yorktown was now, for a few days, rescued from its own loneliness. There was some complaint that locality was not ignored and the anniversary celebrated where modern conveniences were at hand. Such were the dust and heat at and about the village on the first day of the fête that pilgrims admired Cornwallis's good sense in surrendering as quickly as decency allowed, that he might go elsewhere. The second day was twenty degrees colder, and dusters gave way to ulsters. Truly vast preparations had been originally planned, but so obvious were the discomforts which could not but attend a long sojourn at the place, that the programme was radically docked. The events that were left, however, amply repaid for their trouble all who saw them.

Arrangements had been making at Yorktown for a month, during which time the sandbanks all about were in a stir, such as neither Cornwallis's nor Magruder's cannon-wheels had occasioned. When the day marking the anniversary of the Briton's surrender arrived, a score of great warships, with other craft of various sorts, lined the river up and down, while shanties and tents covered the landscape

in all directions. Wagons, buggies, and carriages by hundreds came and went, frequent among them the two-wheeled family vehicle of the Virginia negro, attached by a rope harness to a scrawny "scalawag." Strains of martial music, the thunder of heavy guns, throngs of civilians and of soldiers, thieves and gamblers plying their art unmolested till a welcome detachment of Richmond police arrived—all conspired to waken the little place from the dead. To the credit of the Post-Office Department, no hitch occurred when mails multiplied from three a week to two a day, and the daily delivery of letters mounted from fifty to five thousand.

The celebration began on October 18th, "Surrender Day." Troops had been pouring in all night and the influx increased at dawn. Some had marched far and swiftly. Captain Sinclair's battery of the Third Artillery had covered the distance from Fort Hamilton, New York Harbor, to Yorktown, 470 miles, in twenty-one marching days. At ten o'clock the "Tallapoosa," bearing the President and most of his Cabinet, came up the river, being saluted as she passed the batteries. At this notice "the yards of the ships of war were manned"—the account read quaintly after the lapse of but twenty years. For ten minutes smoke-clouds covered the river and the boom of ponderous cannon quenched all other sounds. Behind the "Tallapoosa" were vessels bringing the Secretary of the Navy, the Secretary of War, and General Sherman. Distinguished foreign guests came, too, descendants of de Grasse, de Rochambeau, de Lafayette, and von Steuben, the heroes who had shared with Washington the glory of humbling England's pride a hundred years before. Each dignitary being saluted according to his rank, the deafening cannonade was kept up for a number of hours.

Wednesday, October 19th, was devoted to the ceremony of laying the corner-stone of the Yorktown Centennial Monument. Commemorative exercises formed the feature of Thursday. President Arthur delivered an address, the Marquis de Rochambeau responded in French, and Baron von Steuben in German, all three being loudly applauded. Hon.

Robert C. Winthrop pronounced the oration of the day. The presence of Steuben and Rochambeau, of Generals Sherman and Wade Hampton, of Hancock, the favorite and hero of the festival, and Fitzhugh Lee, hardly second to him in receipt of applause, naturally suggested the themes of concord and reunion. Among those who shook hands with President Arthur was the widow of President John Tyler. At the conclusion of these exercises all the troops passed in review before the President. It was the most brilliant military pageant seen since the war. Northern visitors noticed with pleasure that many of the Southern commands wore uniforms of blue. On Thursday evening fireworks were displayed. All the war vessels were illuminated. The steam corvette "Vandalia," commanded by Captain (subsequently Rear-Admiral) Meade, so disposed her lights as to bring out the outlines of her hull and rigging with charming effect. The splendor was produced by the use of Chinese lanterns, which Captain Meade purchased for the occasion. The celebration ended on Friday with a naval review, embracing all the men-of-war in the harbor. A graceful and handsome deed, acknowledged by the British press, was the salute paid by the entire fleet to the Union Jack hoisted at the foremast of each vessel.

Freshets in February, 1884, had induced an unprecedented rise in the Ohio River, submerging country and city along the banks. At Cincinnati houses were wrecked, lives lost, destitution and suffering the lot of thousands. To add to the horrors, the gas-works were under water, and night whelmed the city in Cimmerian darkness. As the news spread, practical responses came from all quarters, in the shape of food and clothing, which steamers distributed up and down the swollen stream. Highest water was reached on February 14th, the highest ever recorded, the river at Cincinnati standing on that date at seventy-one feet and three-quarters of an inch.

Riot followed flood. In March two confessed murderers had come off with a conviction for mere manslaughter. As

twenty other murderers were in prison, respectable citizens assembled to demand reform in murder trials. Noisy leaders of the mob element tried to capture the meeting, which was adjourned to prevent mischief. A young man rushing out shouted, "To the jail! Come on! Follow me and hang Berner." The door was burst open, but Berner had been smuggled to Columbus at the first alarm. Meantime the militia were secretly introduced through the same tunnel which afforded him exit. After a skirmish the rioters were driven out, leaving some of their number prisoners. Partly from chagrin, partly to secure the release of the captured leaders, and partly to indulge their lawless humor, the hoodlums set the court-house on fire, robbing an armory and two gun-stores to provide themselves arms. Other shops were broken into and sacked. They fired volley after volley of musketry at the militia, and fiercely attacked barricades which these had erected against them. After repeated warnings retaliation was meted out with terrible effect. The disorders continued six days, when the law was so far vindicated that business could be resumed. The most authentic list put the killed in this riot at forty-five, the wounded at one hundred and thirty-eight.

CHAPTER XIV.

MONROE'S DOCTRINE AND ARTHUR'S PRACTICE.

Uncle Sam in Africa—The Brussels Conference of 1876—Congress of 1877—The United States Represented—Henry M. Stanley—His Career—His Fame—Darkest Africa—The Congo Free State—The United States Helps in its Formation—Scramble for "a Piece of Africa"—Arthur's Policy Criticised—Berlin Conference of 1884—Its Objects—Its Results—De Lesseps at Panama—Origin of the Clayton-Bulwer Treaty—Its Provisions—Its Resurrection in 1880—President Hayes's Attitude—Blaine's Controversy with Lord Granville—Frelinghuysen's Contentions—Great Britain's Position—Blaine Criticised at Home—De Lesseps's Failure at Panama—Early Plans for Piercing the Isthmus—The Nicaragua Canal Scheme—Joys and Troubles in Nicaragua—Congressmen Favor United States Aid for the Enterprise—Description of the Proposed Canal—Difficulties and Cost—Feasibility and Profitableness—Opposition—Growing Intimacy between the United States and Spanish America—The Commission of 1884—Panama Congress of 1825—John Quincy Adams and Clay—Later Efforts at a Pan-American Union—Trepidation at Walker's Filibustering Expeditions—Union Movements in 1864, 1877, 1880, 1881, and 1888—David Davis Proposes a Central and South American Railway—Frelinghuysen's Suggestions—The Congress of 1889-90—Scope of its Possible Deliberations—The Delegates' "Junket" Across the Continent—Difficulties and Misunderstandings—The Reciprocity Idea—Outcome Meagre.

IN 1884 occurred an event presaging a change in the time-honored foreign policy of the United States. Our diplomatic representatives took leading part in the Berlin Conference of that year, a conference which dealt with important questions touching the Dark Continent.

In September, 1876, Leopold II, King of the Belgians, had convened at his palace a conference of African travelers, to discuss the best means of opening equatorial Africa. Half a year later a Congress was convoked at the same place, where appeared delegates from Austria, Belgium, France, Germany, the Netherlands, Spain, Switzerland, and the United States. A committee of three, headed by the King,

and including General Henry S. Sanford, of Florida, representing the English-speaking races, recommended the formation of an International African Association, to found "hospitable and scientific" stations in Africa under the association's own flag. A chain of such stations was formed from Zanzibar to Lake Tanganyika.

The royal enterprise was advertised to the world mainly by the labors of Henry M. Stanley. Born in 1841, near Denbigh, Wales, where he was known as John Rowlands, from three years of age to thirteen the lad lived and was schooled inside St. Asaph Poorhouse. He later ascribed all his success to the education here received. When sixteen he shipped for New Orleans, where he found a foster-father in a trader named Stanley, whose name he assumed and henceforth bore. At the outbreak of the Civil War his energy took a military turn, and the man who was later revered by the Congo blacks as "Father and Mother of the Country," enlisted on the pro-slavery side. He was taken prisoner, escaped at night by swimming a river amid a storm of bullets, and made for Wales, but not to stay. Returning, he enlisted once more, this time in the Federal navy, acting presently as ensign on the flagship *Ticonderoga*. Peace restored, the path of a newspaper correspondent in wild and distant lands attracted the bold fellow; and we find him by turns in Spain, Turkey, and Syria.

Stanley's fame was not sealed, however, till James Gordon Bennett, of the New York "Herald," despatched him to the Dark Continent to "find Livingstone." More explicit directions would have been impossible at the time, as well as needless and insufferable for Stanley. The new explorer found the old one, who refused to return to civilization before completing his explorations. Livingstone died in Africa, his work still incomplete, but it was taken up and astonishingly supplemented by his strong successor. The Queen sent Stanley a gold snuff-box set with diamonds. France decorated him with the cross of the Legion of Honor. Bismarck entertained him. Leopold II treated him as if he had been

a prince of the blood. The poorhouse boy became the most famous man on earth.

After Stanley had discovered the Upper Congo, in 1877, "The *Comité d'Etudes* of the Upper Congo," a branch, or perhaps a partner, of the International African Association, devoted its labors to that region. In 1884, General Sanford wrote: "This work has developed into extraordinary proportions, and has had for practical result the opening up to civilizing influence and to the world's traffic this vast, populous, and fertile region, securing certain destruction to the slave trade wherever its flag floats." The flag—blue, with a golden star in the centre—was as yet unrecognized. The United States, so prominent in the inception of the enterprise, was the first to recognize it. In his annual message for 1883, President Arthur called attention to the work of the association, "of which a citizen of the United States was the chief executive officer." "Large tracts of territory," he said, "have been ceded to the association by native chiefs, roads have been opened, steamboats placed on the river, and the *nuclei* of States established at twenty-two stations under the flag, which offers freedom to commerce and prohibits the slave trade. . . . The United States can not be indifferent to this work nor to the interest of their citizens involved in it. It may become advisable for us to co-operate with other commercial powers in promoting the rights of trade and residence in the Congo valley, free from the interference or political control of any one nation."

The succeeding April the Secretary of State found himself authorized to proclaim "that in accordance with the traditional policy of the United States, which enjoins their careful attention to the commercial interests of American citizens, avoiding at the same time all interference in the controversies engaged in between other powers or the conclusion of alliances with foreign nations, the Government of the United States declared its sympathy with and approbation of the humane and noble object of the International Association of the Congo, acting in the interest of the Free

State established in that region, and commanded all officers of the United States, either on land or sea, to recognize the flag of the International Association as that of a friendly Government."

This step was much criticised abroad. The scramble for "a piece of Africa" had begun, and the association, which, unrecognized, might be a cat's paw, once recognized became a rival. France and Portugal, each of whom had her claim (one very ancient, the other just laid, but both much cackled about) to lands occupied by the association, were especially nettled. A French paper petulantly dubbed Uncle Sam the new State's "godfather." Had the claims mentioned been fully conceded, the new State would have been left without sea-coast. The adjustment gave to the new-flag nation a coast frontage of from thirty to forty miles north from the Congo estuary, as well as a vast empire of back country. The guarded recognition by the United States at this juncture was, as Stanley said, "the birth unto new life of the association, seriously menaced as its existence was by opposing interests and ambitions." More vital ends than these touching the African continent waited to be attained, appealing to "the commercial interests of American citizens," and to their "sympathy" and "approbation." Besides, Americans had founded Liberia, American missionaries were not few in Africa, a wealthy American journalist had furnished the means for rescuing Dr. Livingstone and a famous American explorer performed the task. All these facts aroused public interest here and led to our participation in the Berlin Conference.

This step was as fiercely criticized at home as our recognition of the blue flag had been abroad. The timid shrieked appeal to the Monroe Doctrine. Our commercial interests in Africa, it was said, were small, even *in posse*. Considered as *disinterested*, the action was denounced as meddling. We should regret it, critics said, when the Nicaragua controversy reached an acute phase. The correspondent of the London "News" considered the conspicuous part taken by

our delegates in the conference an intimation that this country was henceforth to be more active in foreign affairs.

The Conference assembled in November, 1884. It was formally opened by Prince Bismarck, who stated its main objects to be: 1. To secure free navigation and trade on the River Congo. 2. To secure free navigation of the River Niger. 3. To determine the formalities to be in future observed for the valid annexation of territory on the African continent. The neutralization of the Congo and Niger, an American proposition put forward by our delegate, Mr. Kasson, was attained in part, but not perfectly, owing to the opposition of France. The treaty powers promised, in case of war by or against a possessor of Congo land, to lend their good offices to induce both belligerents to keep hands off from the free trade belt, which included much French and Portuguese as well as other territory. In the event of disagreement touching the free trade belt, the powers undertook to resort to mediation before appealing to arms, and reserved the option of proceeding by arbitration. The motion to restrict the sale of liquor in the Congo basin, though introduced by Italy, was also of American origin. It was bitterly assailed by Germany and Holland, but was partly realized afterward when measures were adopted to prevent the introduction of liquor into tracts yet uninfected, or where the Mohammedan religion forbade its use. The United States, with England, joined the enlightened King of the Belgians in securing provisions for the preservation and amelioration of native races, the suppression of slavery and the slave-trade, and the encouragement of all religious, scientific, and charitable enterprises, with perfect religious liberty for white and black. Arrangements were made to include the neutralized strip in the Postal Union.

Mr. N. P. Tisdell, appointed by the United States Government to report upon its advantages for American trade, was unfavorably impressed with the country and the character of the natives. Yet subsequent events justified Stanley's assertion that the course of the United States toward

the new sovereignty was "well worthy of the great Republic." The aborigines no longer dreaded the merciless Arab slave-raider, for his power was broken. Cannibals who, in 1877, assailed Stanley with flights of poisoned arrows soon enlisted in the little standing army of the Free State. The sale of liquor, arms, and gunpowder was restricted. Commerce more than doubled the proportions it had when the Conference rose. A railroad around Livingstone Falls was begun and part of it speedily in operation. It is to be said that rumors, for the time impossible either to verify or to refute, reached the press, of outrages upon natives at the hands of Belgian officials, grosser than those which Burke imputed to Warren Hastings.

While the Congo episode was broadening American ideas of the Monroe Doctrine, events in Central America led to the emphatic reassertion of that doctrine. M. de Lesseps's ill-starred attempt to ditch the Isthmus of Panama was begun in 1881. The prospect of its success raised anew questions of neutrality and control over land or water routes joining the oceans. During President Taylor's Administration the United States had requested Great Britain to withdraw her pretensions to the Mosquito Coast, that Nicaragua and ourselves might join to construct a canal from there to the Pacific. Great Britain declined, but signified her consent to a treaty admitting her to a share in the protection of the proposed canal. The Clayton-Bulwer Treaty resulted, having in view, so far as the United States was concerned, the encouragement of a canal enterprise under the so-called "Hise" grant made us by Nicaragua. The treaty declared that neither Government should "ever obtain or maintain for itself any exclusive control over the said ship-canal," or "occupy, or fortify, or colonize, or assume, or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America," the last provision, however, not to apply to the British settlement at Belize. The Governments further agreed to "facilitate the construction of the said canal by every means in their power," to protect it and

to guarantee its neutrality. The eighth article of the treaty extended the agreement to any other practicable communications, whether by canal or railway, across the isthmus.

The projected canal was never begun, and interest in the subject subsided until after the American Civil War. It was revived by the attempt of France to join us, perhaps with other nations, in guaranteeing the neutrality of the new isthmus route which de Lesseps was designing. On March 8, 1880, in a special message, President Hayes said: "The United States can not consent to the surrender of control (over an inter-oceanic canal) to any European power or to any combination of European powers." Hayes evidently assumed that the British guarantee mentioned in the Clayton-Bulwer Treaty had relation solely to the schemes in mind at that date. He continued: "An inter-oceanic canal across the American isthmus will be a great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast line of the United States. No other great power would under similar circumstances fail to assert a rightful control over a work so closely and vitally affecting its interests and welfare." Before the close of the Hayes Administration, a treaty permitting such control was negotiated with Colombia, but that Republic, owing to French influence or finding the treaty distasteful, declined to ratify it.

Secretary Blaine, under Garfield, maintained the same position which his predecessor had assumed. The United States, having guaranteed the neutrality of any route which might be opened across the isthmus, would brook no participation of European nations in this office. The London press cried out at the danger of intrusting the neutrality of one of the greatest commercial routes in the world to a single very strong power and a single very weak one. The American statesmen in time to come could say: "The Governments of the two Republics are alone parties to the treaty. What they have made they can tear up. The neutrality of the canal is for the time suspended." Mr. Blaine proposed certain modifications of the Clayton-Bulwer Treaty, made, as

it was, under extraordinary and exceptional conditions, and operating, as it would in case of war, to place the canal in the hands of England's navy. He said: "As England insists, by the might of her power, that her enemies in war shall strike her Indian possessions only by doubling the Cape of Good Hope, so the United States will equally insist that the canal shall be reserved for ourselves, while our enemies, if we shall ever be so unfortunate as to have any, shall be remanded to the voyage around Cape Horn."

In declining Blaine's proposition to modify the treaty, Lord Granville pointed out the great interest of his country and of the whole civilized world in an unobstructed passage from the Atlantic to the Pacific. He painted "the melancholy spectacle" of "competition among the nations in the construction of fortifications to obtain the command over the canal and its approaches," a consequence apprehended (in other words threatened) by Her Majesty's Government, should the United States persist in demanding supreme authority over the canal.

Under Mr. Frelinghuysen, President Arthur's Secretary of State, the controversy assumed a tenor more legal and less journalistic. The Clayton-Bulwer Treaty Frelinghuysen thought certainly voidable at our option. It had applied only to inter-oceanic ways definitely contemplated or in prospect in 1850, especially to a canal under the grant of 1849 from Nicaragua, a grant which the United States, "poor in money and floating capital," was unable by herself to make effective. In consideration of the speedy construction of the canal and of Great Britain's withdrawal from adjoining soil, our Government had "consented to waive the exclusive and valuable rights which had been given to them, consented to agree with Great Britain that they would not occupy, fortify, colonize, or assume dominion over any part of Central America, and consented to admit Her Majesty's Government at some future day to a share in the protection which they have exercised over the Isthmus of Panama." But, through Great Britain's fault alone, the proposed canal had

never been constructed, while the tolerated mahogany-cutting settlement at Belize had been, in contravention of the treaty, erected into a veritable colony.

Under an international guarantee of neutrality, Mr. Frelinghuysen argued, a canal across the isthmus "would affect this Republic in its trade and commerce; expose our western coast to attack; destroy our isolation; oblige us to improve our defences and increase our navy; and possibly compel us, contrary to our traditions, to take an active interest in the affairs of European nations." On the other hand, the political interest of this country as sole guarantor would not necessarily conflict with the material interests of other nations, to whose free use the canal would still be open. International agreements of the kind proposed by Lord Granville our Secretary declared in peace useless, in times of dissension unenforceable.

The discussion was, for the time, closed at the end of 1882, when the British Secretary announced England's conclusions as follows: "The meaning and effect of Article VIII" (as widening the scope of the treaty and establishing a general principle) "are not open to any doubt; the British Government has committed no act in relation to British Honduras or otherwise which can invalidate that treaty and justify the United States in denouncing it; and no necessity exists for removing any of the provisions of that treaty."

Many pronounced our opening of this question unwise, a foolish manifestation of a "jingo" policy. Mr. Blaine's spirited manner in the discussion was particularly reprehended. The criticism was unjust. The imbroglio was not of Mr. Blaine's creation, but came to him with the State portfolio from Secretary Evarts, upon whom it had been thrust by the action of Colombia, incited by France. Mr. Blaine's despatches upon the subject, perhaps less able than those of Evarts or those of Frelinghuysen, and almost dangerously bold in tone, yet took the only ground which a patriotic American Secretary of State could have assumed. Had

Mr. Blaine been as reckless as many thought him, he would have moved to denounce the treaty forthwith and risk the consequences; but the time had not come for that.

Though international control in the isthmus made no headway, capital for Panama was lavishly provided, not by rich Frenchmen, but by the middle classes, who would have grudged their savings had not the enterprise been for the glory of France. The French press grew more and more sanguine. Little by little, reluctantly acknowledging the task greater than expected, M. de Lesseps kept calling for new support, and at some rate or other kept getting it. He continued to color the Panama horizon a roseate hue, but it was sunset and not sunrise. At the end of 1888 night fell upon the hopes of his dupes, while day broke upon their senses. Panama was fatally malarial; the cost of excavation was greater than supposed; the total amount of it not far from twice as large. The great cut through Culebra Pass was said to have unsettled the very mountain and to have caused it to tilt toward the canal. A dam more than a mile long to restrain the Chagres in flood time was started, but abandoned. Gross mismanagement marked every turn. Interest was paid out of capital stock. Locomotives ordered from Belgium were of the wrong gauge and could be seen rusting by the railway tracks. Worst was the unparalleled corruption resorted to by the desperate directors to keep the facts from publicity, endeavors which utterly failed. The populace of Paris were furious at the cumulative revelations. Over a hundred members of the national Legislature were smirched, five ex-ministers being among those arrested. The chief culprits, including M. de Lesseps himself, were given heavy sentences; the rest were acquitted. In Panama they knew little of all this, but still lamented the departure of "canal times," as they contemplated the gash which not quite cut their isthmus.

So early as the middle of the sixteenth century a Portuguese navigator projected four possible routes for an inter-oceanic canal on the Western Hemisphere, at Darien, Panama,

Nicaragua, and Tehuantepec. In 1779, Lord Nelson seized the mouth of the San Juan as preliminary to the control of the waterway. In 1823, the President of Nicaragua invited the attention of the United States to the possibilities of this route, and renewed negotiations led, in 1849, to the formation of a company in this interest, in which Commodore Vanderbilt was a stockholder. The doings of filibuster Walker put an end to that plan. Several surveys made after the war indicated that, should a lock canal be contemplated, the Nicaragua route was better than any other. Preferring a tide-water enterprise like the Suez Canal, however, the enthusiast de Lesseps pursued the Panama chimera. The failure of any tide-water scheme being probable, the Nicaragua proposal reappeared as a rival to the Panama project.

Treaty arrangements initiated in 1884 between the United States and the Nicaraguan Republic looking toward an inter-oceanic canal, failed of consummation, as President Cleveland, taking office in 1885, and dissenting from the opinion of his predecessor, feared that such a scheme would lead to more embarrassments than benefits. In 1887, Nicaragua and Costa Rica granted to a private association of United States citizens the right, for themselves or their assigns, to build a trans-Nicaraguan canal. In 1889, "The Maritime Canal Company of Nicaragua" succeeded to these rights, agreeing to expend \$2,000,000 the first year and to complete the canal by 1900, though it, in fact, went little further than to make preliminary surveys and estimates.

In 1891, a construction company, of which Hon. Warner Miller, of New York, was president, undertook the building operations. In the same year an attempt was made, without success, to get the United States to guarantee \$100,000,000 of the company's bonds. "Canal times" in Nicaragua made the little republic tingle with speculative fever. The Government reveled in extravagance and waste, but was in the midst of its debaucheries cut off by a revolution, or rather by a complicated series of domestic and foreign troubles, that for the time smothered peaceful enterprise.

In 1896, a commission of experts appointed by our Government made a report discouraging to the hopes of the promoters, spite of which the bill for lending the Government credit to the enterprise mustered numerous and influential supporters in both Houses of our Congress.

At the Caribbean port a breakwater was to be built and the harbor deepened. The length of the proposed route was about 170 miles. For 121.1 miles ships were to pass through the lake and through rivers, for 21.5 through dammed basins, for 27 through channels excavated at the eastern and western divides. From Greytown westward to the foot-hills a sea-level canal 9.25 miles long was to be maintained. Thence three locks about 650 feet long and 65 feet wide would advance the vessel a mile or two and raise it 106 feet. Three to five miles beyond, the eastern divide loomed up, requiring amputation, the average depth to be 141 feet, the length 2.9 miles. Here the San Francisco and Machado were to carry the vessel 12 miles, entering the San Juan above a huge dam. This river leads to Lake Nicaragua, 64.5 miles further on, through which the ship's path would extend for a distance of 56.5 miles. The levels here were to be raised four feet. The western divide must be channeled for 11.2 miles; beyond for 5.5 miles a basin would be formed by penning the water in natural valleys. The descent thence to tide-water was meant to be accomplished by three locks, the last a tidal lock a mile and a half from the ocean. Finally, a harbor must be made on the Pacific. The minimum depth of the canal was to be 30 feet; the width sufficient, except at the divides, for two ships to pass each other.

No one doubted that the cost of construction must be large, perhaps exceeding careful estimates. Twenty-seven miles, or 10,000,000 cubic yards, of excavation were required, also 21.5 miles of basins, constructed by means of enormous dams. A shoal fourteen miles long on the east of Nicaragua Lake would have to be dredged and kept clear. Geologists said that basaltic lavas predominated underneath

this as well as under the Panama route. Dams were required to cross the San Juan and the Tola, each nearly 2,000 feet long by 70 high, and one 3.25 miles long and 60 feet high to cross the San Carlos.

That, after all, a canal upon this route could be created and operated seemed beyond question. That it would be politically valuable and its operation profitable from a business point of view also appeared quite clear. In an address to the public the Canal Company said: "The nation that controls this canal under terms of amity with Nicaragua will here find rest and refreshment for its fleets and a *point d'appui* from which either ocean may readily be reached in case of need."

According to the "Statesman's Year Book," the Panama Railroad had, in 1885, £17,000,000 worth of traffic. The Canal Company estimated the cargoes, which, had it been in existence, would have sought their canal, at 2,671,886 tons in 1879, at 4,507,044 in 1887, and at 7,616,904 in 1895. Reviewing the above figures, Mr. G. E. Church, who found the actual traffic of the Suez Canal to be but 52 per cent of the possible, calculated the probable, as distinguished from the possible, number of ships which would have used the Nicaragua Canal, and thought that, in 1880, it would have borne 1,625,000 tons of freight, valued at £32,136,000. Crediting the Nicaragua Canal with every vessel that might by its means have made a saving of distance, 2,818 ships would, in 1880, have passed through it, carrying 2,938,386 tons of cargo. According to an article in the "Saturday Review" of March 16, 1895, the probable yearly traffic had been estimated as high as 8,122,093 tons, but the writer himself deemed 3,500,000 tons a more likely figure.

Notwithstanding its political importance and its great financial promise, the undertaking progressed but slowly. Against it was on all occasions manifested in Congress and in the press the opposition of the transcontinental railways. The necessity of increasing the navy, should the canal be built and placed under our guaranty of neutrality, was also

powerfully urged. Possible, or, as was alleged, certain complications with foreign powers formed a giant objection with many. A few, perhaps, gave a pro-British interpretation to the Clayton-Bulwer Treaty.

Discussion upon the great canal scheme was by no means the sole indication that our relations with our southern neighbors tended to grow closer. In 1884 Congress provided for, and the President appointed, a commission of three to "ascertain the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America." After conferring with leading merchants and manufacturers in this country, and making an extensive tour of Latin America, the Commissioners in 1884-85 recommended an international American conference to promote commercial intercourse and to prepare some plan of arbitration for controversies between the states of the American continents.

The idea of such a congress was not new. Bolivar conceived it before 1820. The threatening Holy Alliance, or "Holy League," as John Quincy Adams called it, caused the young Spanish-American republics in 1826 to huddle together in a congress at Panama. President John Quincy Adams and Clay, his Secretary of State, wished our Government to be represented there; but delays by the slave-power, morbidly sensitive in dealing with countries which had emancipated their slaves so early as 1813, made the Administration's efforts abortive. It is worthy of notice that reciprocity, as it is now called, was one of the subjects which President Adams suggested for discussion at this Panama convocation. That congress came to nothing. Vain, also, were Mexico's sedulous efforts in 1831, 1838, 1839, and 1840 to create a congress of Spanish America. When in 1847 Mexico's fears of North American aggression were realized, Bolivia, Chile, Equador, New Granada, and Peru met in Lima, allowing other American republics to join them, and going so far as to invite the United States. In 1856, again, Walker's filibustering frightened Peru, Chile, and Equador into sign-

ing a treaty of confederation and endeavoring to get other adherents, while anxious conferences were held among Spanish-American ministers in Washington. In 1862 Costa Rica, communicating with Colombia, doubtless voiced the prevalent South American impression "that the cessation of the Vandalic filibustering expedition of 1855 and of the following ones till 1860 was due to intervention, although tardily carried into effect, on the part of Europe." This was a curious commentary on the Monroe Doctrine. The despatch added: "If our republics could have the guaranty that they have nothing to fear from the United States of North America, it is indubitable that no other nation could be more useful and favorable to us. Under the shelter of her powerful eagles, under the influence of her wise institutions, and under the spur of her astonishing progress our newly born nationalities would receive the impulse which they now need, and would be permitted to march with firm step, without experiencing the troubles and difficulties with which they have had to struggle. . . . A new compact might be drafted by which the United States of North America should bind themselves solemnly to respect and cause others to respect the independence, sovereignty, and territorial integrity of the sister republics of this continent; not to annex to their territory, either by purchase or by any other means, any part of the territory of the said republics; not to allow filibustering expeditions to be fitted up against the said nations, or to permit the rights of the latter to be in any way abridged or ignored. Resting upon a treaty of this kind, our republics would admit . . . the idea of an intimate alliance with the North American people."

In 1864 Peru bade the Spanish nations to another conference, the United States not being invited because, as Peru alleged, "their policy was adverse to all kinds of alliances, and because the natural preponderance which a first-class power, as they are, has to exercise in the deliberations might embarrass the action of the congress." In 1880 a congress proposed for the next year to secure the adoption of arbitra-

tion on this hemisphere, was prevented by the breaking out of war between Chile and Peru and Bolivia, Mexico, also, about the same time, having trouble with Guatemala. A similar proposition on the part of the United States in 1881, for November, 1882, came to naught, owing to the continuance of the same hostilities. In 1877 and in 1888 occurred congresses of Spanish-American jurists to amend the international law of the South American Continent.

In 1880 there began in the United States a series of steps which in course of time led to the Pan-American Conference of 1889 and 1890. In 1880 Senator David Davis projected the preliminaries for an immense international line of railroads running at the foot of the great mountain chain through Mexico, Central America, and South America, with branches to the main Pacific seaports. Bills of the same tenor were subsequently introduced by Senators Morgan, Sherman, and others. There were also propositions for special commissioners to visit Central and South America. At the first session of the Forty-eighth Congress a joint resolution was introduced requesting the President to invite the co-operation of American Governments in securing the establishment of an American customs-union.

Instead of immediate steps toward an international conference to promote commerce and peace, which were contemplated by Congress, Secretary Frelinghuysen recommended a commission to visit Central and South America, suggested a series of reciprocity treaties as the natural mode of developing our commerce with Latin America, and intimated that "it would be advantageous and probably practicable to agree upon a common silver coin equal in value, say, to our gold dollar, or to some other appropriate standard, which, under proper regulations as to coinage, etc., should be current in all the countries of this continent." Renewed efforts in these various directions resulted in adopting the recommendation of the Commission, and a conference was invited. The act authorizing it permitted in it the discussion of measures (1) for the prosperity of the several states, (2) for an American U. S. VOL. 8.—14.

customs-union, (3) for regular and frequent communication, (4) for a uniform system of customs regulations, (5) for a uniform system of weights and measures, patents, copyrights, trade-marks, and extradition, (6) for the adoption of a common silver coin, and (7) for arbitration. The programme also allowed some canvass of miscellaneous subjects.

Before the organization of the Conference, the delegates, starting on October 3, 1889, were carried by rail on a trip nearly 6,000 miles long, visiting forty-one cities, from Boston to St. Louis and back, and inspecting the principal iron and steel manufactories of Pennsylvania. Elaborate receptions were accorded them everywhere. In two great factory towns they were greeted by brass bands made up from among the operatives. At one place a natural-gas well was fired for their edification, and its hues made to change by the ingenious injection of chemicals. This well-meant entertainment, besides being—such is the Spanish-American temperament—a hardship to the delegates, seemed to some of them a piece of ostentatious braggadocio, precisely the assumption of superiority by the United States which they had come prepared to find. Early in the progress, Señor Quintana, of the Argentine delegation, disengaged himself from the other gentlemen and returned to Washington.

A variety of circumstances helped ruffle the serenity of the proceedings. The difference between our Spanish-American guests and ourselves, in language, in blood, and in ideas of etiquette, caused misunderstandings. An interpreter was required, as only one of the United States delegates, Mr. Flint, spoke Spanish, and only one other, Mr. Trescot, read it, while several Latin-American members did not know English. The contrast between the Anglo-Saxon and the Spanish procedure usual in such assemblages was vast, occasioning unpleasant feelings which could be reconciled only by yielding to the South American preference. Reciprocity was among the aims of the Congress. Argentina suggested reciprocity in 1875 and again at this Conference. But a United States reciprocity treaty with Mexico had fallen through in

1883, which led delegates to doubt whether the United States earnestly desired reciprocity. This distrust was unfortunately increased by the McKinley Tariff Bill, then in its earlier stages, before its excellent reciprocity provisions had been attached.

Lack of harmony was not wholly due to jealousy or fear of the United States. Chile wished the Conference confined to commercial and economic instead of political questions. Because of an unratified reciprocity treaty with her, Santo Domingo declined to send delegates. Hawaii, invited late, could not accept in time to take part in the deliberations. Among the states represented the smaller were, as a rule, more effusive than the larger in responding to the invitation. The guest-states, too, had their mutual jealousies. Guatemala was distrustful of Mexico. Bolivia and Peru tended to favor Argentina, as against victorious Chile. The five Central American States were at odds over the terms of a suggested alliance among themselves, while Nicaragua and Costa Rica had the proposed canal for an additional bone of contention.

Though not a delegate, Secretary Blaine was elected president of the Conference. He had desired the earlier conference, proposed for 1882, to confine its attention to the subject of arbitration, and he was particularly emphatic now in urging the same. Chile did not favor the idea; Mexico and Argentina only in a restricted sphere. A formal treaty was signed by most of the delegates, but it came to nothing. The most permanent concrete result of the Conference was the Bureau of American Republics, maintained at Washington, to disseminate information regarding the Latin-race countries on this side of the Atlantic.

CHAPTER XV.

"FARTHEST NORTH."

The *Jeannette* Expedition—Its Officers—Its Plan—The Start—Suspense and Search—Rumors—Tidings at Last—Course and Fate of the Expedition—Melville Finds Nindeman and Noros—DeLong's End—His Journal—New Polar Research—The Greely Expedition—The *Proteus's* Passage Out—The *Neptune's* Effort at Relief—The *Garlington* Cruise in 1883—Wreck of the *Proteus*—Greely Meantime—Expedition of 1884—Schley's Enterprise—"News from Greely"—His Discoveries—"Farthest North"—Experiences of His Band in the Arctic Regions—Their Course Southward—Could Any of Them be Alive?—The *Thetis* to the Rescue—Seven Starving Survivors—Life at Starvation Camp—Efforts for the English Meat—Rice's Death and Frederick's Heroism—The Death Roll—Rescue of the Seven—Their Condition—Homeward Bound—Arrival—No Official Praise—The Survivors Subsequently—Peary on Greenland's Icy Mountains—He Crosses Greenland in 1892—Geographical Discoveries—Peary's 1894-95 Tour—Value of These Explorations.

Do the classic virtues grace an age of commonplace?

The cynics of our time will tell you No.

To the ancients they will turn heroic deeds to learn,

But, take a soldier's word, it is not so.

THAT the cynics are wrong was impressively shown by Stanley's deed in darkest Africa, touched in the last chapter of this History. Two other exploits more thrilling still illustrated President Arthur's years in office. The first was the *Jeannette* expedition to the North, equipped by James Gordon Bennett, Stanley's patron, but sailing under orders from the Navy Department. This expedition went forth in the summer of 1879, but its glory and its fate were not known till more than two years later. The vessel, of some four hundred tons burden, was strongly reinforced to prevent her being crushed in the ice. The crew as ultimately constituted comprised thirty-three men, including two Chinamen and two Indians. The officers were Captain George W. DeLong,

U. S. N., commanding; Lieutenant Charles W. Chipp, U. S. N., Second Officer; Master John W. Danenhower, U. S. N., Executive Officer; Passed Assistant Engineer George W. Melville, U. S. N., an officer reluctantly spared by the department, and Passed Assistant Surgeon James M. Ambler, U. S. N. William Dunbar, an experienced Yankee whaler, was ice pilot, Jerome J. Collins meteorologist and "Herald" correspondent, and Raymond L. Newcomb naturalist. The last three, as a matter of form, enlisted as seamen.

It was DeLong's design to follow the warm ocean current through Bering Strait, possibly to the Pole, at least to Wrangel Land, which was set down on the maps as an enormous continent reaching to the Pole and possibly connecting with Greenland. The thought was that the expedition could crawl along this coast far to the north, and, when finally stopped by sea, could with sledges make a triumphant dash for the Pole.

Watched and cheered by crowds on shore and attended by a squadron of pleasure craft, the *Jeannette*, on July 8, 1879, slowly and proudly steamed toward the Golden Gate of California, beyond which the sparkling waves of the Pacific seemed to be beckoning. "Every ship we passed," wrote DeLong, "dipped her colors to us, while shouts, steam-whistles, and yachts' cannon-shots kept the air filled with noise. Upon passing Fort Point a salute of twenty-one guns was fired in our honor, while the garrison of the fort cheered us enthusiastically." No wonder that officers and men were in jubilant spirits.

At Ounalaska on August 2d a quantity of furs was taken aboard. At Lutke Harbor, on August 27th, last messages were sent home as the *Jeannette* parted from the *Fannie A. Hyde*, her convoy and coal-tender. On September 3d an adventurous whaler saw her afar, nosing her way toward Herald Island. Next year the revenue cutter *Corwin*, Captain Hooper commanding, approached Herald Island and Wrangel Land, but saw no traces of the explorers. In 1881 anxiety grew keener. Lieutenant Berry, of the *Rogers*, following the

Jeannette's route, scrutinized the coast of Wrangel Land. Captain Hooper also made a landing there. Neither obtained tidings of the lost ship. The *Alliance*, from Norfolk, sailing by the Spitzbergen route, was not more successful. Two new polar expeditions, one of which, that under Lieutenant A. W. Greely, will presently be described, were, incidentally to their main purpose, cautioned to look out for the missing men. Foreign exploring ships assumed a like charge. Although the marble ocean kept her secret well, rumors were at everybody's service. A steamer's smoke, forsooth, had been seen off the Lena Delta; white shipwrecked sailors were struggling up the Mackenzie River in North America; European corpses had been found at the mouth of the Yenisei. It was conjectured that DeLong had indeed reached the Pole. The canard was also started that Siberians had boarded the *Jeannette* and found everybody well, very much surprised at being the objects of such solicitude.

Amid these wild pitches of fancy, the truth, more startling than any of them, was conveyed to the world on December 20, 1881, by the following telegram from the American *Chargé d'Affaires* at St. Petersburg to the American Secretary of State:

"The *Jeannette* was crushed in the ice June 11th, latitude 77 degrees, longitude 157 degrees. Crew embarked in three boats and were separated by the wind and fog. Number three, with eleven men, Engineer Melville commanding, reached the mouth of the Lena September 19th. Subsequently Number one, with Captain DeLong, Dr. Ambler, and twelve men, reached the Lena in a pitiable condition and prompt assistance was sent. Number two has not been heard from."

"Number two has not been heard from" to this day. The masterful seamanship which saved even a part of the crew from death elicited admiration the world over. The London "Standard" said: "Though the *Jeannette* has suffered destruction, the Americans have added glory to that they have already won in the frozen regions." Captain DeLong's first

alternative, of following the Japan current possibly to the Pole, was balked by the ice-pack which he entered shortly after he was last sighted, and on September 6th, the next day, he found himself glued in. The second alternative, of drifting to Wrangel Land and following that continent to the Pole, was seen to be impossible when, to the men's dismay as they drew near, it shriveled to an insignificant island. From the time she entered the pack the *Jeannette* was unfettered for only a few hours. Nearly two years later, June 11, 1881, she had to be abandoned, and she sank early on the morning of the 12th. With a heavy sick list and otherwise encumbered, the company in three squads toiled over the ice, struggling to get southward.

At the end of a fortnight they found themselves further north than when they started, indeed, further north than living man had ever before gone in that sea. The position was $77^{\circ} 36' N.$, $155^{\circ} E.$ To the weary mariners either land or sea was more welcome than the ice, and about the middle of July land loomed into view. It was an island. Two days later they took possession of it for the United States and christened it Bennett Island. Here it was possible for them, on August 6th, to take to the three boats, the first cutter with Captain DeLong and his little crew of men, the second cutter with Lieutenant Chipp and his men, and the whaleboat with Engineer Melville and his men. On August 19th the three wretched companies, over ice and water, barefooted and barelegged, reached the New Siberian Islands, to which they clung till September 10th, when they were within ninety miles of Cape Barkin, and happy in the thought. About seven o'clock that night there was an arctic gale, and the boats were blown apart like tufts of thistledown. As the whaleboat, the fastest of the three, went racing down the wind, members of her crew, looking back, dimly saw the second cutter rise to the crest of a billow, sink, rise again, then, enveloped in an immense sea, sink to be seen no more. DeLong's crew at the same time lost sight of the whaleboat, and thought that she shared the same fate. Melville, in like man-

ner, when he himself landed at one of the eastern mouths of the Lena Delta, could hardly hope that any of the DeLong party had escaped the sea. A few days later his own squad reached a Russian settlement. On receiving news that there were DeLong survivors, Melville hastened to Belun, where he found two seamen of the DeLong crew, Nindeman and Noros, on the verge of starvation. They had been sent ahead for relief, and, as it chanced, were the only ones of the party who survived. "Hallo, Noros!" was Melville's cheery greeting, as he pushed his way into their sorry hovel, "how do you do?" "My God! Mr. Melville," exclaimed Noros, "are you alive?" Rising from a rude couch, Nindeman said: "We thought you were all dead, and that we were the only two left alive; we were sure the whaleboat's men were dead, and the second cutter's, too."

Pressing northward, with only native guides, in spite of badly frozen feet and legs, and in imminent risk of starvation on the way, the intrepid Melville sought the trail of DeLong's unfortunate party, but it was not till the next March that he was able to get traces of them. All hope of finding them alive had then vanished. On the 23d of March, amply provided with the means for his search, the Chief Engineer finally discovered the bodies of Captain DeLong and his gallant comrades-in-death. They were lying on an island in the Lena Delta, which had cruelly enmeshed them the autumn before. Perhaps the saddest feature of their tragedy was the fact that they perished within ten miles of succor. It was decided not to move the remains to America, but to bury them at the Delta on a high promontory out of reach of the floods. "There," said Melville, "in sight of the spot where they fell, the scene of their suffering and heroic endeavor, where the everlasting snows would be their winding-sheet and the fierce polar blasts which pierced their poor unclad bodies in life would wail their wild dirge through all time—there we buried them, and surely heroes never found fitter resting-place."

The journal kept by DeLong, known as the "Ice Jour-

nal,” was happily recovered by Melville. The Captain had maintained it to the very day of his death. Nothing can exceed the heart-breaking pathos of his last entries, which merely chronicle the succumbing of his comrades and the number of the day—one more since the wreck, one less before his end. His last conscious act, apparently, had been to throw the book behind him as of no more use. Even as he turned back for this the rigor of death and of freezing invaded his body, which was found lying upon the side, the arm uplifted above the snow and the elbow bent.

The issue of DeLong’s disastrous enterprise was not known in time to quench the ardor with which new polar investigations were carried on in 1881. Lieutenant Weyprecht, of Austria-Hungary, had, in 1875, proposed a series of co-operating stations for magnetic and meteorological observations near the North Pole. Lieutenant Howgate, of our Signal Service, had long advocated polar colonization in the interest of geographical science. Several nations, the United States among them, were moved to attempt polar discovery.

In 1881 we established two stations, one of them on Lady Franklin Bay, to be manned by Lieutenant A. W. Greely, Fifth United States Cavalry, with a party of twenty-two officers and soldiers, and two Eskimos. The *Proteus* bore Greely and his men from St. John’s, Newfoundland, the early part of July, 1881. Beyond the northernmost Greenland settlement, through the treacherous archipelago, between the “land ice” and the “middle pack” of Melville Bay, amid the iceberg squadrons of Smith Sound and Kane Sea, the stanch little sealer kept her course. Eight miles from her destination she was for the first time blocked. A solid semicircle of ice confronted her, reaching clear across from Greenland to Grinnell Land. Large floes broke off and passed her, only to reform and cut off her retreat, while the northern pack, advancing, threatened to crush her. Upon new caprice, however, the upper ice retired toward the polar ocean, and on the 11th the little army disembarked, one thousand miles

north of the Arctic Circle. A fortnight later the *Proteus* whistled farewell and began her return trip, which, like the out-passage, was "without parallel or precedent" for freedom from the difficulties and dangers unanimously reported as existing in that region.

It was proposed in 1882 to visit the Greeley colony with supplies and reinforcements, and in 1883 to effect its return. Setting out a year and a day after the *Proteus*, the *Neptune* achieved a hard but steady advance to Kane Sea, but this she found choked with ice. For forty days she vainly assaulted her godfather's polar phalanx. When, with the close of August, whitening cliffs and withering vegetation portended winter, Beebe, the commander, hastening to place a small cache on either side of Smith Sound, returned, as ordered, with all the rest of his abounding supplies, which were stored in Newfoundland, to be taken north again by the *Proteus* in 1883.

The 1883 undertaking was doubly momentous from the past year's failure. The *Proteus*, Lieutenant Ernest A. Garlington commanding, was attended by the *Yantic*, under Commander Frank Wildes, United States Navy. This enterprise was begun in mismanagement and misunderstanding and ended in misfortune. Lethargy of delay was followed by fever of precipitation. Orders were irregularly issued and countermanded; supplies went aboard in an unclassified mass; the foreign crew were inefficient and careless, the "co-operation" of Army and Navy divided responsibility and hampered both arms. The *Proteus* Court of Inquiry severely censured General Hazen, chief signal officer of the army, for remissness in these weighty particulars.

The arctic armada was again encountered where Beebe found it. Garlington, too completely engrossed with the injunction to reach Lady Franklin Bay at all hazards, though stopping at Cape Sabine a few hours, hurried north without replacing the damaged supplies there or leaving any of his own. Twice in her struggle the *Proteus* was within four hundred yards of open water; twice she failed to reach it.

The second time the inexorable jaws of the ice-pack crushed in her sides, giving only time to tumble a part of the cargo overboard. The crew lent no aid, but, after securing their own luggage, began looting the property of the expedition. As they retreated in boats, a few hundred rations were left for Greely near Cape Sabine, at a place known as "Wreck Camp Cache." The Court of Inquiry thought that Garlington, "after the sinking of the *Proteus*, erred in not waiting longer at Pandora Harbor, with the object of obtaining from the *Yantic* supplies" for a depot at Lifeboat Cove, whither Greely had been ordered to retreat. The Court, however, deemed this but an error of judgment, "committed in the exercise of a difficult and unusual discretion," for which "he should not be held to further accountability." After unwittingly passing the *Yantic* twice, and journeying in open boats for eight hundred miles in a sea stormy and full of bergs, the *Proteus* men were rescued by the *Yantic*.

Incredulity, dismay, and indignation now quickly succeeded each other in the public mind. The first expedition for the rescue of Greely had been a failure, the second was a distressing breach of faith. Fearful, indeed, were its consequences. The devoted Greely and his band, in nowise responsible for it, were at that time painfully working southward from their well-stored outpost, relying upon meeting succor or finding a refuge prepared for them. The bleak desolation of Cape Sabine, with but forty days' rations, awaited them. Enough food to last them over five years had been carried to, or beyond, Littleton Island by the relief parties; but only one-fiftieth of it had been placed where Greely could get it.

New efforts, in 1883, were deemed too hazardous to be undertaken. The Secretary of War and the Secretary of the Navy now took up the business of relieving the Lady Franklin Bay Expedition. A purely naval expedition was decided upon, consisting of two Dundee whalers and two reserve ships. Secretary Chandler deserved great credit for his tireless energy and care in making the preparations. Precau-

tions were multiplied, no delay and no oversight occurred. Congress made generous appropriation, though not without ridiculous debate and higgling. A \$25,000 bounty was proclaimed for rescue or tidings of the Greely party. Mr. Chandler had purchased the *Thetis* and the *Bear* for the perilous cruise. The British Government presented us with the capable arctic veteran, the *Alert*, in addition to which a fourth vessel, the *Loch Garry*, was chartered as a collier. The brave Engineer Melville, undaunted by his dreadful experiences with DeLong, insisted upon going to hunt for Greely.

Commander Winfield S. Schley, heading the expedition, was as efficient as his chief. Though most of his subordinates were inexperienced in arctic work, and though he had to fight for every inch of progress, he carried the Stars and Stripes to Cape York ahead of several whalers who sought to outdo him. Much game and many walruses were seen on the east side of Smith Sound, but no signs of the exploring party. It was inferred that they must have remained at their post in the north, but Schley decided to stop near Cape Sabine and make a cache before pushing thither.

Smith Sound, about twenty-three miles wide, was traversed in a roaring tempest. Parties were landed to examine old caches, when almost simultaneously two of them reported "news from Greely." Records and despatches from him found here revealed wonderful achievements. Apart from his regular observations, the interior of Grinnell Land had been explored. To their surprise, fertile valleys were brought to light there, supporting herds of musk oxen, in striking contrast with the great ice cap and the glacial lake. Traces of the Eskimo were found, where they had wintered in their long migration from the Parry Archipelago to the coast of Greenland. The climatic conditions of Grinnell Land were determined, and data were secured from which were ascertained the co-tidal lines of the polar ocean, the force of gravity and the deviations of the compass at Fort Conger. Other most interesting and valuable information was ob-

tained. The northwestern coast of Greenland had been plotted, and a point reached further north than any ever before trodden by man. For the first time in three hundred years England's "Farthest" had been left behind—the new "Farthest" being $83^{\circ} 24'$, viz., only $6^{\circ} 36'$, or about four hundred and thirty statute miles from the Pole. The view thence, from a height of 2,600 feet, revealed an unbroken stretch of ice, proving the polar ocean to reach within three hundred and fifty miles of the Pole. To the northeast, twenty-eight miles further, they saw Cape Washington. Foxes, lemmings, ptarmigan, and plants were seen even at that high latitude. Observations were continued through the long arctic night. Though usually not so magnificent as at Upnivik, several fine displays of the mysterious Northern Lights were beheld. Greely remarked upon one in particular. From the southwestern horizon to the zenith extended an arc woven of spiral ribbons of many-colored light. It seemed to rotate or to keep springing upward, replenished from some unseen and exhaustless fountain of splendors, while at the summit little puffs of light detached themselves to float away and perish.

A journal, "The Arctic Moon," had been launched, suspected to be the organ of some one who stood for Congress before the Grinnell Land electorate on a platform of unlimited emigration. Litters of dogs had been raised and musk-calves domesticated. The little library was well patronized, games were invented, and much time devoted to sleep. Christmas had been duly celebrated. Presents from friends, sacredly kept packed till then, were opened, exciting a rather unsoldierly sensation in the throat. One obscure private, friendless but for his comrades, inured to hardships and neglect, was wellnigh overcome to find himself remembered with a gift. Another for a moment wore a puzzled look as he opened a flat package and found it to contain a fan!

In August, 1883, the party had abandoned their post at Lady Franklin Bay, in the far North, retreating by boat down the east coast of Grinnell Land. At one stage an

immense stranded floeberg reared a wall fifty feet high in front of them. Steaming along its foot they finally observed a fissure, or cañon, not more than a dozen feet wide. The little launch, with whaleboats in tow, boldly entered the crevice and safely reached open water more than a hundred yards further on. Later they camped on a floe, but, tempestuous weather setting in, were alarmed to see it broken in pieces by the adjacent floes, which ground together with indescribable groanings and measureless force. On the north a fine floe of palæocrystic ice was pressing on their own, separated, however, by a buffer or cushion of rubble ice fifty feet wide, and for the present made solid by the pressure. The sledge and provisions were rushed across this chasm, articles of least value being left till the last, and hardly had the rearmost man passed over before the floes parted, and their bridge was swallowed in the sea.

The most recent despatch found by the rescuers, on first perusal, sent a joyful thrill through those who read.

"My party is now permanently encamped on the west side of a small neck of land which connects the Wreck-Cache Cove, or bay, and the one to its west. Distant about equally from Cape Sabine and Cocked Hat Island. All well.

"A. W. GREELY,
"1st Lt. 5th Cav., A. S. O. and Ass't
Commanding Expedition."

Horror succeeded. The date at the bottom was October 21, 1883, seven months before, and at that date only forty days' rations remained. Was it possible that any were still alive?

The *Thetis* blew three long whistles for a general "recall," preparing to steam on toward Greely's "permanent encampment," where at that very moment a tent, half fallen down, sheltered seven starving men, too weak to raise it again. These were all who then remained of Greely's expedition. For the last three months they had seen their companions smitten one by one. The rule, almost to the last,

had been cheerfulness and hope; to the very last had it been mutual self-sacrifice. In spite of "the hoarse grinding of the ice-pack not far off," which one mentioned in his journal but did not speak of lest he "discourage the others," part of them had made a futile attempt to cross to Littleton Island. Observations had been rigorously maintained and they were determined to continue them "till the last man died." Greely and others gave lectures on the United States, on a pleasant winter in the West Indies, on army experiences. Dry statistics concerning food exports from the United States were conned with strange persistency. Yet each meal was cheerfully voted "the best yet," and Thanksgiving Day pleasantly passed in telling what each proposed to have for his *next* Thanksgiving dinner.

When provisions ran low a resolute party set out to recover one hundred and fifty pounds of English meat cached at Cape Isabella, twenty-five miles from camp, in the direction of Point Eskimo, but beyond. In spite of protest, Ellison, one of the squad, insisted on eating snow. Soon his hands, face, and feet were fearfully frozen. With great difficulty he was brought back to camp, losing his hands, feet, and nose by natural amputation. He was henceforth allowed double the portion of his comrades, a spoon being strapped to his arm that he might eat without help.

A second effort, brave and sad, by Sergeant Rice and Private Frederick alone, to recover the English meat, proved equally vain and even more disastrous. Risking their lives at almost every step of the way they at last reached the place only to find, after hours of searching among the floes, that their triumph was a barren one. The English meat had drifted from the shore. There was nothing to do but to go creeping back to camp, if they could get there; but Rice, having wet and frozen his feet, was spent, and could not walk a step. He begged Frederick to go and leave him to die, but Frederick would not. Instead, drawing the sledge close under the edge of a floeberg, he placed Rice upon it, wrapped his frozen feet with the temiak or fur-lined jacket

taken from his own back for this purpose, and then sat and held his unfortunate comrade till the latter's pain was relieved by death. Frederick was minded to die there, too. What use in returning to Starvation Camp with his story of disappointment! But fearing that those in camp would plan a rescue and end their lives in unnecessary misery, he resolved to go back. The dauntless fellow got as far as Point Eskimo, God only knows how. Here they had left their sleeping-bag, expecting to return to it the same day they parted from it, as they would have done had the meat been found and had Rice not failed. After refreshing himself with bread and tea, the exhausted Frederick crawled into the bag and slept. On awaking, much stronger, but now smitten with remorse that he had made no effort to bury poor Rice, the indomitable man pushed back all that awful way and gave the frozen corpse of his loving comrade such burial as he could. He then made the best of his slow and painful journey to Greely's camp. Gnawing hunger tempted him to eat Rice's ration, for which none could or would have blamed him, but he refused. He would use what was his own, but would not rob the living or the dead. He reached camp hardly alive, hauling the sledge with Rice's dole of crumbs upon it, to tell how costly and how bootless his mission had been.

After the death, in January, of Cross, from scurvy, their number was not lessened again till April 5th, when one of the Eskimos succumbed. Sergeant Lynn breathed his last on April 6th. The very day, April 9th, when Sergeant Rice perished in his heroic search for the English meat, Lieutenant Lockwood, one of the two Americans who reached farthest north, also passed away. The last words he wrote were: "Jewell is much weaker to-day"—and Sergeant Jewell was the next to yield. April 29th the other Eskimo was drowned in a brave effort to catch a seal. On Easter Sunday a snowbird on the roof chirped loudly. "All noise stopped as by magic and no word was said till the little bird passed." The death catalogue was lengthened on May 19th, when

Private Ellis died, soon followed by three others, Sergeant Ralston, Private Whisler, and Sergeant Israel. From June 1st to June 18th seven perished, but of these only the first, Lieutenant Kislingbury, could be interred. Private Salor died on June 3d. On June 6th Private Henry was shot for stealing provisions, and lay where he fell. Two more, Dr. Pavy and Private Bender, died on this day. The rest were carried to the foot of the floeberg, save Schneider, who died on June 18th. The party had not sufficient strength to move him. The loss, June 12th, of Gardiner, who passed away murmuring "Mother—Wife," deeply affected all. The death angel so common a visitor, the men grew jocular in his presence. When a raven escaped them one protested that he could not "eat crow," anyway. To the very day of the rescue Brainard persisted in his habit of collecting specimens.

At midnight on June 23d the seven survivors heard a whistling above the sound of the gale. Forty-two hours they had been without a morsel, and long weeks without anything like proper rations. Only two—Long and Brainard—were able to walk. These went forth to ascertain the cause of the noise. Brainard reported nothing in sight, but Long lingered outside. The wretched men in the tent discussed the strange shriek with pathetic garrulity, finally deciding that it must have been the wind blowing across the edge of a tin can. At this juncture Connell showed the familiar touch of death in his slightly swollen appearance, cold and paralyzed extremities, and aimless mumbling. "Death," says Greely, "kindly took away all pain," and Connell, like those stricken before him, was tranquil. Greely crawled toward the light with a Testament, while Brainard pressed the little remaining brandy to the dying man's lips. He only murmured, "Let me die in peace."

On reaching her objective the *Thetis* despatched Lieutenant Colwell in the cutter to find out the worst. At Wreck Cache no life appeared. As they rounded the next point the silhouette of a human figure was seen against the

dull sky. Instantly the boat's flag was brandished. Painfully the figure stooped, picked up a flag, evidently the Greely distress flag, and waved an answer. Then, half walking, half falling down the slope, Long approached his saviors. "He was a ghastly sight," said Schley. "His cheeks were hollow, his eyes wild, his hair and beard long and matted. His army blouse, covering several thicknesses of shirts and jackets, was ragged and dirty. He wore a little fur cap, and rough moccasins of untanned leather tied around the legs. His utterance was thick and mumbling, and in his agitation his jaws worked in convulsive twitches." He was conveyed to the ward-room of the *Bear*, where he described the party's plight, pausing and often repeating himself. "We've had a hard winter—a hard winter—and the wonder is how in God's name we pulled through." The rest, he said, were on shore in "sore distress—sore distress."

After placing Long in the cutter, Colwell's party had hurried forward. "They saw spread out before them a desolate expanse of rocky ground. Back of the level space was a range of hills rising up eight hundred feet, with a precipitous face, broken in two by a gorge, through which the wind was blowing furiously. On a little elevation directly in front was the tent. Lowe and Norman were ahead, and were greeting a soldierly man [Brainard] who had come out from the tent. As Colwell approached, Norman said to the man:

"There is the lieutenant," and he added to Colwell:

"This is Sergeant Brainard."

Brainard drew himself up and was about to salute, when Colwell took his hand. At that moment a feeble voice within the tent was heard:

"Who's there?"

"It's Norman—Norman who was in the *Proteus*."

Cries of "Oh, it's Norman!" were followed by a feeble cheer.

Greely said of this moment: "We had resigned ourselves to despair, when suddenly strange voices were heard

calling me; and in a frenzy of feeling as vehement as our enfeebled condition would permit, we realized that our country had not failed us, that the long agony was over, and the remnant of the Lady Franklin Bay Expedition was saved."

Colwell cut a slit in the tent and looked in. He was enjoined by an inmate to be careful not to step upon Connell, who lay under the very hand of death, his jaw drooping, his eyes glazed. Directly opposite on hands and knees, was a dark man with a matted beard, in a dirty and tattered dressing-gown, a little red skull-cap on his head, who, as Colwell appeared, looked up from his Testament and vacantly adjusted his eye-glasses to his brilliant, staring eyes. Twice Colwell asked, "Who are you?" but got no answer. One of the men said: "That's the Major—Major Greely." Colwell took him by the hand, saying, "Greely, is this you?" "Yes," said Greely. "Yes—seven of us left—here we are—dying—like men. Did what I came to do—beat the best record." Here he fell back exhausted. His indomitable spirit had thus far conquered despair for himself and his companions. He had not ceased to exhort them to "Die like men, not like dogs," ever telling them the story of the British soldiers who stood at parade on deck till their ship went under, while the women and children put off in boats. Forty-eight hours later not a man of the seven would have been alive. Connell afterward said: "Death had me by the heels, boys, when you pulled me back by the neck." They were in the dotage of starvation. Some refused to believe that relief was at hand, and had to be humored in their scepticism. The craving of hunger, lately blunted, reawoke, when their entreaties for food were the more touching in that they could not be granted.

Greely protested against moving the dead. He felt about them as Chief Engineer Melville had felt about De-Long and his comrades, and would have left them where the "polar blasts which pierced their poor unclad bodies in life would wail their wild dirge through all time." But the feelings of the dead men's friends must be consulted, and

such bodies as could be recovered were brought to America. Elison died on the voyage. As if he had himself never felt pain, he said, on meeting Engineer Melville: "So you were with the *Jeannette*, and poor DeLong is dead. Poor fellows, *how they must have suffered!*"

At St. John's, Newfoundland, the rescuers and rescued were besieged, though the latter were carefully sequestered from the crowds. The squadron was escorted out of the harbor by a fleet of crowded tugs and launches, which passed around the ships, cheering and whistling "*bon voyage.*" At that time Greely himself was too weak to walk far, but on the 1st of August, when they sighted Portsmouth, he had gained fifty pounds.

That afternoon, in the glory of summer sunshine, the shores of Portsmouth Harbor were lined with sympathetic people, the water covered with sails, flags, and streamers, the lower port occupied by the five vessels of the North Atlantic Squadron and other ships of the navy. As the *Alliance*, leading the *Thetis*, the *Bear*, and the *Alert*, steamed up-harbor, the Marine Band played "Home Again," while the crews from the rigging shouted welcome to the survivors and their saviors.

Secretary Chandler's barge bore Mrs. Greely to the *Thetis*, which she was the first to board. Then the officers of the squadron were welcomed on board the flagship, *Tennessee*, by the Secretary and Admiral Luce. Later these officers, with General Hazen, greeted Greely on board the *Thetis*. For the next three days visitors swarmed over the ship. On the 4th a grand civic procession of distinguished men, bands, marines, and militia passed in review through the streets of the hospitable city.

Men's feelings were mingled and contradictory. They were proud of Schley's achievement and joyful at the return of the living; but no less sincere and affecting was their grief at the thought of the vanished majority, whose remains sadly freighted the relief squadron. At Fort Columbus, as the vessels reached New York, twenty-one guns saluted them.

On Governor's Island troops were drawn up to receive the dead. Among the distinguished officers present were Generals Sheridan, Hancock, and Hazen, and Commodore Fillebrown. As the bodies, save that of Sergeant Jewell, which had gone to his New Hampshire home, were borne through the lane of troops to the chapel and there delivered to friends, arms were presented, while minute guns were discharged to mark the solemnity of the occasion.

To the Greely expedition as a whole no official recognition was ever given, save the oral thanks of President Arthur expressed to commanding officer Greely on his return to Washington. A resolution tendering the thanks of Congress was once introduced in Congress, but the member having it in charge died, and it did not pass. Some of the men going on the expedition were never reimbursed for the clothing lost by them.

Greely's promotion to be Chief Signal Officer was not, as was generally supposed, a reward for his arctic exploits. He had served eighteen years as Chief Assistant in the Signal Office, was the senior officer of the office, on whom the duties devolved by law, had been in charge of them for several months before General Hazen's death, and continued there until his appointment a month later. Greely was, however, not without recognition from other sources. His native State, Massachusetts, and Newburyport, his native city, both gave him testimonials. Besides honorary membership in many distinguished organizations, he received the Grand Gold Medal of the Royal Geographical Society of London, and the Medal of the Geographical Society of Paris.

Of the survivors among Greely's men Sergeant David L. Brainard was, on account of his arctic services, promoted to be Second Lieutenant. In 1895, he was First Lieutenant in the Second United States Cavalry. Biederbick had, at the time mentioned, a small pension. He was an inspector of customs in New York, where he showed the same fidelity which characterized him in the Far North. Long, Frederick, and Connell were employed by the Meteorological Division

of the Signal Office, under control of the Agricultural Department. Frederick had been refused a pension. Connell's pay had been reduced, but he stood very high in the service.

The Dark Continent of Greenland furnished an exhaustless and fascinating field for the speculative to roam over in fancy and the adventurous in fact. Lieut. R. E. Peary, a civil engineer connected with the Navy, belonged distinctly to the class given to actual adventures, and his several sledge journeys across Greenland's icy mountains were among the most brilliant geographical feats in all history. In 1886, he reached a point near Disco, about fifty miles from the coast. In 1892, he sallied northward again, this time in company with his wife. Suffering from a broken leg, he was tenderly and tirelessly watched by her. On one occasion, while he was convalescent, they were together in the stern of a boat, and became surrounded by a herd of angry walruses trying to get their tusks over the gunwale and capsize the boat. For an hour the heroic woman coolly reloaded the firearms while the crew rapidly discharged them, thus successfully keeping the monsters at bay.

Upon this trip Mr. Peary, accompanied by Dr. F. A. Cook, Messrs. Langdon Gibson, Eivind Astrup, John T. Verhoeff, and Matthew Henson, colored, disembarked at Whale Sound, across from the tragic Cape Sabine and a trifle south thereof. It was in some respects an advantage that the party was small, the smallest that had ever embarked on so extensive an arctic enterprise. Despite his infirmity, Peary explored Inglefield Gulf, crossed the icy rump, 5,000 feet high, divorcing Whale Sound from Kane Sea, went as far north as 82°, thence viewing the ice-free land discovered by Lockwood, supposed to be separate from Greenland, though adjacent to it. Blocked by the fiord to the north, the intrepid explorer turned eastward. He reached Independence Bay on the 4th of July, 1892. Returning he took almost a bee-line for 450 miles to his starting point, where he arrived on August 6th, after an absence of ninety-three days.

This expedition proved that the eastern and western shores of Greenland rapidly converge north of parallel 78° . Greenland is therefore an island. On this tour Peary marked the northward extension of the great Greenland ice-cap, thus certifying another point in geography; while Mrs. Peary, in observing the manners of an absolutely isolated Eskimo tribe of three hundred and fifty people, made a valuable contribution to anthropology. These important results were not achieved without cost in human life. One of the little party, Verhoeff, being separated from the others, lost his life in the cracks of a glacier. After a thorough search had failed, a year's food was cached for his use, should he be alive, and with heavy hearts the party left the place.

Having raised funds, in 1893, by a lecture tour, Mr. Peary found himself in the spring of 1894 once more scaling the Greenland ice at a distance from the coast, at last attaining an elevation of 5,500 feet. For the first thirteen days he advanced ten miles a day. His dogs died off, his men were nearly all frosted and sent back. He cached his surplus stores, and with the remainder of his party pressed forward for the next fortnight six miles a day. He finally had to turn about and hasten to Bowdoin Bay, accomplishing little more that season.

It was, nevertheless, his ambition to map the northern coast of Greenland. Against prudent counsels he declined to return south on the steamer *Falcon*, which visited him in August, 1894. Though with insufficient stores, he determined to winter in Greenland with two companions, who volunteered to stay with him. Preparing beforehand a supply station, he, in April, 1895, ventured inland once more. His Eskimos left him, he could not find his supplies, his men suffered from frost-bite, and game failed; yet, with an audacity splendid because it chanced not to be fatal, the devoted band pushed forward to Independence Bay. Happily obtaining ten musk-oxen, they began the return journey, starvation marching close behind them. Everything but food was dropped, and on June 25th, after twenty-five forced marches,

they dragged themselves to Bowdoin Bay and to succor. For two weeks they had had but one meal a day, and they had been foodless for twenty-four hours before reaching their journey's end.

Of these explorations General Greely said: "The two crossings of Greenland by Peary must be classed among the most brilliant geographic feats of late years, his journeys far surpassing in extent that of his ice-cap predecessor, Nansen, who crossed Greenland more than 1,000 miles to the south." Peary and those who furthered his undertakings perhaps expected too much. He was bitterly disappointed at the small results of his last journey, and believed that arctic exploration was set back many years by his failure.

CHAPTER XVI.

THE PLUMED KNIGHT AND HIS JOUST.

The New Orleans Cotton Centennial—Buildings, Exhibits, and Influence—Political Situation in 1884—Presidential Candidates—Rise of James G. Blaine—Charges Against Him—His Prospects in 1876—Investigation of His Record—The Mulligan Letters—Dramatic Self-Vindication Before the House—Blaine and Knott—Blaine in Garfield's Cabinet—Peru and Chile—Blaine in Advance of His Party—Republican Convention of 1884—Lynch made Temporary Chairman—Effort to Unite upon Arthur—Scenes in the Convention upon Blaine's Nomination—The Mugwumps Bolt—Grover Cleveland—His Youth, Education, and Early Official Life—Governor of New York—Nominated by the Democratic National Convention—The Mugwumps Declare for Cleveland—Charges against Blaine—How Far True—"Rum, Romanism, and Rebellion"—Hendricks Pacifies Tammany—Cleveland Victorious.

THANKS to the "New Departure" of 1871, the South soon ceased to be a political storm centre. Early in 1881 Rev. Dr. Haygood, president of Emory College, in Georgia, preached a sermon, published by the unanimous request of the congregation, in which he expressed rejoicing at the abolition of slavery as a blessing. In 1881, a successful industrial exposition had been held in Atlanta, and, in 1883, another in Louisville, both revealing much progress in business at the South. Of wider interest than either was the World's Industrial and Cotton Centennial Exposition of 1884. This date was chosen because a bale of cotton, the first, so far as known, was shipped to England from Charleston in 1784. Congress incorporated the exposition and authorized a loan to it of \$1,000,000. Private parties subscribed half a million more. New Orleans, selected as the most suitable location, gave \$100,000 to erect Horticultural Hall. Louisiana appropriated for the enterprise \$100,000, and some contributions were made by other States.

Upper City Park, two hundred and forty-five acres in extent, on the river, above the city, was artistically laid out and adorned. The most characteristic feature connected with the Exposition was to be found in the avenues winding through vistas of live oaks festooned with Spanish moss, or through groves of banana, lemon, orange, mesquite, and maguey, varied with beds of brilliant tropical flowers and with fountains. By night electric lights, then a novelty to many visitors, added to the fascination of the place. The Exposition opened on December 16th. The Governor of Louisiana was present, as were also Postmaster-General Hatton and Secretary Teller, representing the Cabinet. Dignitaries from distant States in the Union honored the occasion by attending. At the same moment a distinguished company, including a committee from each House of Congress, was assembled in the East Room of the Presidential Mansion at Washington. The preliminary exercises in full were telegraphed to President Arthur, who telegraphed back a fitting response. At the pressure of a button in the White House the mazes of machinery began to move, and the Exposition was declared formally in operation.

The Main Building was the largest structure which had then been erected for exhibition purposes, having an area of 1,656,030 square feet. The Government Building, containing the exhibits of the National and State Governments, was 885 feet long by 565 wide, while Horticultural Hall, of iron and glass, and designed to be permanent, was 600 feet by 100. The Art Building was large and admirably adapted for its purpose, being lighted from the roof. The Mexican Government, at great expense, put up a large building as quarters for a detachment of infantry and cavalry, and for offices. There was a Woman's Department, under the supervision of Mrs. Julia Ward Howe; also an exhibit of negroes' handiwork. The displays from tropical or semi-tropical countries were naturally the most profuse. Mexico erected a tasteful octagonal edifice expressly for its wealth of minerals. Its exhibits together covered 160,000 square

feet, surpassing in extent and variety those from any other foreign country. Central America was represented more completely than at any previous exposition, and the products of its curious civilization interested all visitors.

Giving the South a sense of its importance and strength, and making friendly a host of guests from the North, the Exposition had influence upon the national election soon to occur. Of this none could forecast the issue with any certainty, but the canvass was sure to be interesting. The Republicans were much divided. President Arthur, whom few wanted, announced himself a candidate for re-election. Preceding State elections ominously favored the Democrats. In 1882, both Pennsylvania and Massachusetts elected Democratic Governors. The same year, owing to "Half-breed" defection from Folger, the Republican candidate, New York, which, in 1880, Garfield had carried against Hancock by a plurality of over 21,000, chose Grover Cleveland its Governor by a plurality of more than 190,000 and a majority of 150,000. This election began Mr. Cleveland's fame, quite as much from the accident of the Republican feud referred to as from aught which he then had done or bade fair to do.

Illinois put forward as a Presidential candidate General Logan, so popular with the old soldiers. A "compact body of Ohio Republicans" adhered to Senator Sherman. Senator Edmunds, thought of as a champion of civil service reform, was strong in Massachusetts and Vermont. General J. R. Hawley had succeeded Marshall Jewell as Connecticut's favorite son. But the spontaneous, widespread, persistent, often delirious enthusiasm for James G. Blaine, of Maine, made it clear that unless his opponents early united upon some other candidate "the Plumed Knight" would sweep the field.

Mr. Blaine, long and prominently in the public eye, had been born in Washington County, Pa., January 31, 1830, a great-grandson of Commissary-General Blaine, who, during the terrible winter at Valley Forge, made from his private substance advances to keep Washington's soldiers from star-

vation. The lad was educated with great care by his father and his maternal grandfather, Neal Gillespie, a Roman Catholic gentleman of wealth, character, and ability. In his fourteenth year young Blaine entered Washington College, Pennsylvania, where he graduated with honors. After being some time instructor in the Western Military Institute, Kentucky, and three years in Philadelphia, teaching and writing editorials, he, in 1854, assumed the management of the "Kennebec Journal," Augusta, Me. He rapidly familiarized himself with Maine politics and became a power in the Whig and Republican councils of the State. His skill as a debater gave him fame. He entered the national House of Representatives in 1862, with Garfield, and served until 1876, being Speaker from 1869 to 1875. From 1876 to 1881 he was United States Senator. In Congress he distinguished himself by his familiarity with parliamentary tactics and his unequalled readiness in debate. He left the Senate to enter Garfield's Cabinet as Secretary of State.

On February 28, 1876, Mr. Blaine was informed of a rumor, traceable to J. S. C. Harrison, a director of the Union Pacific Railroad, to the effect that said Harrison, shortly after he became a director, found seventy-five worthless Little Rock & Fort Smith Railroad bonds among the assets of the Union Pacific, said by the treasurer, Rollins, to have been received from James G. Blaine as security for \$64,000 loaned him and never repaid. On April 24th, Mr. Blaine read before the House a letter from Rollins, one from Morton, Bliss & Co., through whom the draft for \$64,000 was said to have been cashed, and one from Thomas A. Scott, who had been president of the Union Pacific at the time, acquitting him of the deed charged, and denying that he had had any other business transactions with them.

At the same time, the ex-Speaker denied the further rumor that he was the owner of Little Rock & Fort Smith Railroad bonds received without consideration, explaining his relations with that road, all which he declared "open as the day" and perfectly proper. For the time Mr. Blaine stood

exculpated. He desired, then, to avoid a Congressional investigation, as it could not possibly end by the time of the Republican Convention (of 1876), a body not likely to nominate a man "under investigation," however innocent. Nevertheless, an investigation, by the Judiciary Committee, was ordered, and on May 15th begun. The statements and testimony already offered by Mr. Blaine were repeated under oath, Scott swearing that the bonds in question were his, received from Josiah Caldwell, and that he, Scott, had shifted them upon the company.

A fortnight remained before the 1876 Convention, and State delegations kept cropping up for Blaine. A rumor arose implicating him in corrupt connection with the Northern Pacific. Three witnesses came from Boston; Elisha Atkins, a director of the Union Pacific; Warren Fisher, a former business relative of Blaine, who had found the relations unsatisfactory and terminated them long before; and James Mulligan, once a clerk of Jacob Stanwood, Blaine's brother-in-law, and afterward of Fisher. Mulligan testified that he had understood Atkins to say that seventy-five bonds went from Blaine to Scott, who "worked them off upon the Union Pacific." Atkins testified that he never said it to Mulligan, but that Mulligan said it to him; also that Mulligan had an old grudge against Blaine.

Upon their arrival, Blaine sent to have Fisher and Mulligan come to his house. Only Fisher came, who admitted letting Mulligan have a number of letters from the ex-Speaker to himself. Blaine went to Mulligan and demanded the letters. Mulligan declared that "he would not give them up to God Almighty or his father." Blaine, however, managed to get possession of them. Mulligan stated that he surrendered the letters under Blaine's promise to return them; that Blaine entreated him not to put them in evidence, as it would ruin him and his family, offering to get Mulligan a consulship if he would desist and threatening suicide if he persisted in exposure; and that Blaine at last flatly refused to return the letters, calling upon Fisher and Atkins

to witness his act. Next morning Mr. Blaine submitted to the investigators the written opinion of Hon. J. S. Black, a Democrat, and Hon. Matt. H. Carpenter, a Republican, to the effect that the letters had "no relevancy whatever to the matter under inquiry," and that "it would be most unjust and tyrannical as well as illegal to demand their production."

The Judiciary Committee was now in utmost perplexity. The witnesses were discharged and the matter laid over. Some proposed to bring it before the House, but this plan was given up as dangerous, one member remarking that they at least knew what not to do, and that was, "not to have Blaine cavorting round on the floor of the House." If they could only have prevented this!

The interim was Blaine's opportunity. A foretaste of what followed is given by some doggerel in which a newspaper of the time represented Confederate Brigadiers (a majority of the sub-committee investigating Blaine had been in the Southern army) as reciting in Democratic caucus:

He is always in the way—
 Blaine of Maine;
 And in session every day
 Raises Cain;
 When his prodding makes us roar,
 Then he lacerates the sore,
 Till we holler more and more—
 Blaine of Maine.

How he boxes us around—
 Blaine of Maine;
 Now and then we're on the ground,
 Half insane;
 * Frequently to grass we go;
 This is temporary, though,
 For we rally from the blow,
 And prepare to eat our crow,
 But he stands us in a row,
 And he smites us high and low,
 Till we shiver in our woe,
 And he keeps us whirling so,
 That we have the vertigo—
 Blaine of Maine.

After the morning hour on Monday, June 5th, Mr. Blaine rose to a question of privilege. He began his remarks by

observing that the investigation, though authorized in general terms, was aimed solely and only at himself. "The famous witness, Mulligan," he said, had selected out of years of correspondence letters which he thought would be peculiarly damaging to him, Blaine, but they had nothing to do with that investigation. He, Blaine, obtained them under circumstances known to everybody, and defied the House to compel him to produce them. Had Mr. Blaine stopped here his enemies could have made him bite the dust. Apparently he had allowed himself to be driven into a fatal *cul-de-sac*. Not so. Having vindicated his right to the letters, he proceeded, in his most dramatic manner: "Thank God Almighty, I am not afraid to show them. There they are (holding up a package of letters). There is the very original package. And with some sense of humiliation, with a mortification that I do not pretend to conceal, with a sense of outrage which I think any man in my position would feel, I invite the confidence of forty-four millions of my countrymen while I read those letters from this desk." For the moment triumph turned to dismay, dismay to triumph. The audience was electrified. The letters seemed to show Mr. Blaine, in one case, at least, high-minded and generous in assuming the losses of "innocent persons who invested on his request."

After summing up, Mr. Blaine continued:

"Now, gentlemen, those letters I have read were picked out of correspondence extending over fifteen years. The man did his worst, the very worst he could, out of the most intimate business correspondence of my life. I ask, gentlemen, if any of you—and I ask it with some feeling—can stand a severer scrutiny of or more rigid investigation into your private correspondence? That was the worst he could do." A pause ensued. Then, resuming, he said: "There is one piece of testimony wanting. There is but one thing to close the complete circle of evidence. There is but one witness whom I could not have, to whom the Judiciary Committee, taking into account the great and intimate connection he had with

the transaction, was asked to send a cable despatch—and I ask the gentleman from Kentucky if that despatch was sent to him?"

"Who?" asked Mr. Frye, in an undertone.

"Josiah Caldwell."

Mr. Knott responded, "I will reply to the gentleman that Judge Hinton and myself have both endeavored to get Mr. Caldwell's address and have not yet got it."

"Has the gentleman from Kentucky *received a despatch from Mr. Caldwell?*"

"I will explain that directly," replied Mr. Knott.

"I want a categorical answer."

"I have received a despatch purporting to be from Mr. Caldwell."

"You did!"

"How did you know I got it?"

"*When* did you get it? I want the gentleman from Kentucky to answer when he got it."

"Answer my question first."

"I never heard of it until yesterday."

"How did you hear it?"

Ignoring the question, Mr. Blaine strode down the aisle holding up a despatch, and turning to Mr. Knott said, with stinging deliberation:

"You got a despatch last Thursday morning at eight o'clock from Josiah Caldwell completely and absolutely exonerating me from this charge—and *you have suppressed it!*"

The sensation up to that moment had been great, but to what now occurred it was as the fuse to the explosion. General Garfield "never saw such a scene in the House." Mr. Blaine had run the blockade, and for the moment the blockaders seemed likely to be "swamped in the wash" as he passed.

Mr. Blaine failed, after all, to be nominated in 1876, but as Garfield's Secretary of State, for a brief period, he led a lively career. In 1881, after a bitter war between the two countries, Peru lay at the mercy of Chile, who inexorably

demanding, among the conditions of peace, the cession of a territory rich in deposits of guano. This was deprecated, both as forcibly disrupting an American state and as an example upon this continent of war for the sake of conquest. Mr. Hurlbut, our Minister to Peru, took sides with that country. Too hastily recognizing as the proper Peruvian Government one of the two factions claiming this status, he proceeded to lay down the terms on which it might conclude peace with the conqueror. Provision must be made for the adjudication of American claims to the guano fields, especially the Landreau claim, and also the Cochet claim, to which a certain "Peruvian Company" had fallen heir. "Hurlbut's Peru" gladly entertained these claims, going so far as to negotiate with him for the cession of a naval station to be held by the United States, till the litigation was settled. Naught could exceed Chile's indignation at this procedure. She at once arrested Hurlbut's Peruvian Government and carried it to Santiago. Mr. Blaine reproved Hurlbut's immoderation and sent a special envoy to adjust matters, but he preserved toward Chile a threatening attitude until relieved by Mr. Frelinghuysen. The new Secretary practically abandoned all intervention.

Adventurers who had been at work for the Peruvian Company made broadcast allegations of corruption and improper influences resorted to by them in pushing their scheme. The House of Representatives ordered an investigation, and in due time Mr. Blaine came before its committee. He complained that at an earlier session of the committee Mr. Belmont, a member, had garbled and misconstrued language which he had used in a despatch. Mr. Belmont persisted in declaring his interpretation correct. "I am not in a police court to be badgered," said the ex-Secretary. The verbal duel became a running fire of retorts, culminating when Mr. Blaine repeated the accusation of misconstruing his despatches and characterized Mr. Belmont's words as untruthful. Growing livid, Belmont retorted: "I believe you are a bully and coward." The committee ad-

journed in consternation, and for a week the country rang with the echoes of the combat.

Blaine consistently held to the principle, placing him at variance with most of his official friends, that the Southrons themselves must remedy the evils of their elections. Later than the events with which this chapter deals, he opposed the principle of an ultra-protective tariff as wrought into the McKinley Bill. The immediate credit of the reciprocity feature in that law belonged to him. His foreign policy looked to a federation of the Western Hemisphere. He elaborated the Bureau of American Republics. His letter of invitation to the American Peace Congress, issued November 29, 1881, was revoked by his successor; but efforts to this end, renewed under Harrison, resulted in a Pan-American Conference, presided over by Blaine himself, from which Chile alone went away disaffected. Mr. Blaine's life and travels from 1881 to 1884 can not be remarked upon here. Though the year 1884 found him in private station, he was not forgotten.

The Convention of 1884 met in Chicago on June 3d. The delegates committed to Blaine were nearly all present by the 2d and in jubilant mood. The despatches of that day strongly indicated that Blaine would win; but the New York "Times," Blaine's doughtiest foe among the Republican papers, would not admit this. It urged Edmunds for nomination, or, in case he proved unavailable, Robert T. Lincoln, a man owing no political debts. The "Times" pointed out that men born after Gettysburg and Vicksburg could vote this year, and that, therefore, even a sound candidate, to win, needed something besides fame won in debating war issues.

It was eleven o'clock on the 3d before any number of delegates entered the vast hall. Crowds—smaller, indeed, than in 1880—filled the galleries. The New York delegation formed at the Grand Pacific Hotel, and marched two by two to the wigwam. The gazing populace fell back to let them pass, while cheering lustily for the Empire State. First came George William Curtis, chairman, arm in arm with

Titus Sheard; next Theodore Roosevelt paired with President Andrew D. White, of Cornell. Beneath the blue ensign, bearing in great gold letters the legend "New York," Curtis took his seat. On the same row, but as far from Curtis as he could get, sat ex-Senator Platt, "devoting his time chiefly to the stroking of his short, silky beard." The band played "Prithee, pretty maiden, will you marry me," as General Mahone, at the head of his Virginia delegation, came in, wearing his broad-brimmed white hat and his curiously fashioned trousers and coat, an immense yellow rose adorning the lapel of the last-named garment. Order was called at a quarter past twelve.

Most of the Arthur delegates, before the proceedings began, considered their candidate beaten; yet the Convention's first act heartened them a little. Stephen B. Elkins, managing for Blaine, had worked up a Blaine-Logan combination, influenced by which the National Committee was induced to recommend to the Convention Blaine's friend, Powell Clayton, of Arkansas, for temporary chairman. This Henry Cabot Lodge opposed by nominating the Honorable J. R. Lynch, a colored Senator from Mississippi, George William Curtis and Theodore Roosevelt seconding the nomination in telling speeches. On roll-call, Lynch was found to have defeated Clayton by a number of votes. The Blaineites received another slight snub. A resolution like that which Conkling invented in 1880 was introduced at their instance, that every delegate taking part in the convention was "bound in honor to support the nominee." Against this George William Curtis protested, saying, "A Republican and a free man I came to this convention, and by the grace of God a Republican and a free man will I go." The resolution was withdrawn.

Notwithstanding all this, Blaine's star was clearly in the ascendant. To defeat his nomination all his opponents needed to unite upon Arthur. Arthur had considerable strength owing to his patronage as President, but it proved a broken reed. The Arthur men pleaded with Curtis, Cabot

Lodge, and Roosevelt, who did their best against Blaine, to turn from Edmunds to Arthur. "Clinging to Edmunds you will surely nominate Blaine," they said. But between Blaine and Arthur the Edmunds men saw little to choose, believing, wisely, so it now seems, that if nominated Arthur would be defeated. They tried to bring out Robert T. Lincoln, a dark horse groomed by the New York "Times." All in vain. At each ballot Blaine gained while Arthur lost. Edmunds, Logan, and John Sherman also lost. Hawley gained two votes on the fourth ballot. Lincoln jumped from four to eight on the third, but sank to two on the fourth. There was "noted a curious tendency in the knees of some of the Edmunds men, particularly those from Massachusetts, to knock together audibly whenever the name of Blaine was mentioned in their hearing," and they, little by little, deserted their favorite. Under the management of Powell Clayton, Arkansas started a bolt of Southern delegates away from Arthur. Assured that himself could not win, Logan turned over to Blaine his Illinois delegation. Upon the fourth ballot "the Plumed Knight" was nominated. The name of John A. Logan, "the Black Eagle," occupied the second place upon the ticket.

The announcement of Blaine's nomination unleashed the latent insanity of ten thousand people within the hall. Hats were thrown high in air, umbrellas whirled around, the State shields torn down and borne proudly upon filial breasts. The crowd outside caught the contagion, and soon a shrill chorus of tug whistles could be heard from the Chicago River. The climax was reached when some one brought and laid upon the chairman's desk a floral helmet, with snowy plume of finest imported horsehair. The noise redoubled, men took off their coats and waved them, women laughed, or cried, or fainted, impartially. Thus was sounded the keynote of the Republican campaign. A spectator might have noticed one or two silent patches in the great hall in the midst of the overwhelming enthusiasm. These patches, flouted at the time, grew more significant when immediately after the Convention

many conspicuous party men, especially in the East, and several considerable party organs, led by the New York "Times," declared that they would not support the ticket.

Spite of all that could be said in his favor, Blaine's nomination evoked the bitterest rancor. The Stalwarts had never forgiven him their discomfiture at his hands in 1880, but they were not now his most serious opponents. Those whom he had deepest reason to fear had been disaffected by his jingo foreign policy, or because they believed him corrupt, or partly for one of these reasons and partly for the other. "I was at the birth of the Republican party," remarked Curtis, "and I fear I am to witness its death." On June 5th, the "Times" said editorially, "The thoughtful opponents of Blaine have seen with alarm that he is supported by all the political adventurers, star-route sympathizers, and admirers of loose methods in government." On June 7th, the morning after the nomination, it added: "The 'Times' will not support Mr. Blaine for the Presidency. It will advise no man to vote for him." After boldly predicting his defeat, it further declared: "That defeat will be the salvation of the Republican Party. It will arouse its torpid conscience, it will stir it to self-purification, it will depose the false leaders who have fastened themselves upon it, it will send the rogues to the background, and will make the party once more worthy of honor and of power in the Republic it has so nobly served." The New York "Evening Post," the Boston "Advertiser," the Boston "Herald," and the Springfield "Republican" also joined the bolt.

"Mr. Blaine was the incarnation of all the good and all the evil of the Republican organization. He, as much as any surviving statesman of the period immediately succeeding the War of Secession, aided in framing the legislation which resulted in the perpetual extinguishment of slavery, and made its return in the crude form of human bondage thenceforth impossible. On the other hand, those organizations which were developed outside of governmental institutions, but which possessed vast influence and strength, such

as the railway corporations and the large landed property organizations, the telegraph and other instrumentalities of commerce, more or less dependent upon Congressional favor or Congressional non-action for their financial success, had in him a steadfast ally. His administration of the office of Secretary of State under President Garfield was also of a character to give conservative men considerable apprehension. During the period from 1865 to 1884, the greatest extravagance with reference to gifts of land and concessions to corporate greed prevailed and was indulged in by the National Legislature. It is true that in that period no well-formed public opinion antagonized this abuse of power, inasmuch as the danger resulting from these aggregations of capital and *quasi* public trusts in the hands of persons not responsible to the people was not at that time felt, or had, at all events, not so clearly manifested itself as during a later period. Mr. Blaine was, during the whole of this period, an active legislator and political leader, and was, therefore, most vulnerable to criticism by a better-informed public opinion in consequence of his participation in this mischievous drift of public legislation.”¹

As early as December, 1883, certain Republicans of Boston had started a movement “in behalf of the adoption of measures and the nomination of men fitted to command the hearty approval and support of the independent, thoughtful, and discriminating voters of the United States.” As a result, a conference of Independent Republicans was called in New York on February 23d, which “*Resolved*, That it is indispensable to the success of the Republican party that the character, record, and associations of its candidates for President and Vice-President of the United States should be such as to warrant entire confidence in their readiness to defend the advance already made toward divorcing the public service from party politics, and to continue these advances until the separation has been made final and complete.”

¹ Simon Sterne.

General Francis C. Barlow, of New York, was made chairman of a committee "to provide for the interchange and practical expression of opinion in harmony with the foregoing resolution, and to continue such action in relation thereto as they may deem expedient." On May 12th, the committee sent a circular to the Republican National Convention. Being ignored in the Convention, a conference of Independent Republicans, held in New York on June 16th, and presided over by George William Curtis, adopted the following resolutions:

"Whereas, We are met in conference as Republicans and Independents to take action in opposition to the nominations of James G. Blaine for President, and John A. Logan for Vice-President, of the United States; and

"Whereas, These candidates were named in absolute disregard of the reform sentiment of the nation, and representing political methods and principles to which we are unalterably opposed:

"Resolved, That it is our conviction that the country will be better served by opposing these nominations than by supporting them.

"Resolved, That we look with solicitude to the coming nominations by the Democratic Party; they have the proper men; we hope they will put them before the people for election."

This overture had a profound effect upon the Democratic managers. By pitting against Blaine a man hostile to machine politics and committed to administrative reform, they had a clear chance to win. Such a man was Grover Cleveland. He had been born in Caldwell, N. J., March 18, 1837, his father a Presbyterian clergyman. When the future President was four years old his father removed to Fayetteville, N. Y. Here the lad found employment in the "general store" at \$50 a year, sweeping and cleaning out, opening and closing the store, and waiting on customers.

A former boy companion of Cleveland's, an old farmer, told of having once soundly thrashed the future President.

He said "it was one of those old-fashioned rough-and-tumble fights, in which each fellow pulls hair, scratches, kicks, and cuffs to his heart's content. I was a much more powerful lad than Grover. Soon I had him down. I kept yelling out to him, 'You will stick pins in my seat, will you! You will, will you!' And, each time, I hit him another bat in the eye or neck. Well, Shell Pratt and Jewett Dunbar finally pulled me off, made us shake hands, and declared the fight over with victory for me." The vanquished remembered this history, and long subsequently invited the victor to take dinner with him at the chief mansion in the United States.

One who was Cleveland's boy room-mate at Fayetteville said: "We lay upon a tick stuffed with straw, which had the uncomfortable peculiarity of accumulating in knobs here and there. I recall how, often, in the night, Grover would stir uneasily in his hard bed, maybe even getting up and with his hand reaching down in the tick to remove the troublesome lump on which he had been resting. In that room, without carpet, without wall-paper, without pictures, drear and desolate, we two lived together one whole year. In the winter we sometimes fairly froze. There was no stove in the room, heat coming up from a pipe leading from the store below. Rats ran in the walls and often peered at us from out holes in the plaster."

Young Cleveland's education, so far as it went, was completed at Clinton, N. Y. In his seventeenth year he became a clerk and an assistant teacher in the New York Institution for the Blind. In 1855, he started West to secure more lucrative employment, but was induced to stop at Buffalo. He was soon at work in a law office there, as clerk and copyist, at \$4 per week. Two years later he was admitted to the bar, retaining for some time his clerkship, first at \$600 a year, then at \$1,000. In 1863, he was chosen Assistant District Attorney of Erie County, in 1870 Sheriff of the county. In 1881, by a union of Republicans, Democrats, Independents, and "Reformers," he was elected Mayor of Buffalo.

His conviction, to which he in good degree adhered, was that a city's affairs should be administered with the least practicable regard for mere politics, "as a good business man manages his private concerns." Pursuing this policy he soon became known as the "Veto Mayor," saving the city much money by his fearless use of the negative. In 1882, as we have seen, by the support of the same elements which elected him Mayor and by the chance of a bitter Republican quarrel in his State, Mr. Cleveland was triumphant in his canvass for the Governorship. As Governor he practiced a strict Jeffersonian simplicity, keeping no carriage and living within his official salary. To each public question on which he had to act he gave personal attention and study, thus performing an amount of work which would have killed a weaker man.

Unlike his rival for the Presidency, Mr. Cleveland had held no office requiring him to take ground upon any momentous public question or concern before the people. As Governor of New York he had proved an excellent official, and except his inexperience in Federal affairs nothing could be said of him to indicate that he would not do well as Chief Magistrate of the United States. Mr. Cleveland represented more thoroughly than did his adversary the growing feeling in favor of retiring the questions which arose from the war, and of so dealing with political matters as to conserve the interests of the whole community instead of the interests of mere classes.

The Democratic Convention met in Chicago on July 8th. The call had "cordially invited" "all Democratic conservative citizens of the United States, irrespective of past associations and differences," who could unite "in the effort for pure, economical, and constitutional government," to join in sending delegates. Democratic public opinion had fixed upon Cleveland as the party's standard-bearer, and its mandate to nominate him was strengthened by the Republican revolt against Blaine. Tammany vehemently opposed Cleveland, Thomas F. Grady making before the Convention a long tirade against him, which, however, quickened the cause it was

meant to kill. General Bragg, of Wisconsin, speaking for the young men of his State, said: "They love Cleveland and respect him not only for himself, for his character, for his integrity, and judgment and iron will, but they love him most for the enemies he has made." Though requiring a two-thirds vote, Cleveland's nomination necessitated but a second ballot, this giving him 683 votes in a total of 820. His closest competitor, Thomas A. Hendricks, received the nomination for Vice-President.

The old, staid Democracy did not hail Cleveland's nomination with enthusiasm. There was a feeling among them that he was more a Mugwump than a Democrat, and that his nomination had been secured by efforts of Democrats little in touch with the masses. Hendricks was named not because he was the choice of the men who manipulated the Convention, but for the reason that, having put in the first place the man they wanted, they wished the aid of Hendricks and such as he in carrying the election. Four years later Allen G. Thurman was nominated for the same reason.

On July 22d, the Independents, or "Mugwumps," as they now began to be called, issued an address recommending Republican and Independent voters to support Cleveland. The response was wide and enthusiastic. The Independents took an active part in the canvass, distributing innumerable documents and furnishing many of the best speakers. In this service Carl Schurz was foremost. George William Curtis, too, who had not followed Greeley in 1872, threw the weight of his influence for the Democratic nominee. It is to be noted, however, that by no means all Republicans of independent tendencies took this course. A great number, men of eminence and spotless integrity, deemed Blaine the object of unjust attacks, and warmly espoused his cause. Such were Senator Hoar, William Walter Phelps, and the poet Whittier.¹ Many other Reform Republicans regarded

¹ On November 28, 1884, Whittier wrote: "I am awfully vexed by the result of the election. Our candidate made such a splendid canvass, and would have been triumphantly chosen over Democrats and Independents, but for the miserable John-Johns."

the Democracy with such distrust that they supported Blaine when nominated, though opposing his nomination. Theodore Roosevelt and Henry Cabot Lodge represented this class. Senator Edmunds, while doing naught to hinder Blaine's election, could not be led to speak or write a word in his behalf. Even the anti-Blaine Republicans took pains to advertise that they supported Cleveland not as a Democrat, but as "a platform in himself" and "better than his party." They wished not so much to put the Democratic party in power as to put Cleveland personally in power. They supported Cleveland not because he was a Democrat, but because he was Cleveland, rejecting Blaine not as a Republican, but simply as Blaine.

Mr. Blaine's nomination made the campaign personal. To balance the hard things said of him, the early pages of Cleveland's life were searched for blots. A few were perhaps found, yet the general fruitlessness of the quest was impressively in the candidate's favor. With aught of corruption in public life no one thought of charging him, his record in this particular being absolutely stainless. Blaine was less happy here. If he was far from being the unprincipled trickster so often pictured, he had been less scrupulous in office than his best admirers could have wished.

Mr. Blaine took an intensely practical view of politics. With the "sublimated theories of so-called reformers" he never sympathized. Of these "unco guid," as he called them, he wrote Garfield, in 1880: "They are to be treated with respect, but they are the worst possible political advisers—upstarts, conceited, foolish, vain, without knowledge of measures, ignorant of men, shouting a shibboleth which represents nothing of practical reform that you are not a thousand times pledged to! They are noisy, but not numerous; pharisaical, but not practical; ambitious, but not wise; pretentious, but not powerful!" Over Blaine men went insane in pairs, for his "magnetism" either strongly attracted or strongly repelled whatever came within his field. Hatred of him was rancorous, and it usually told, since his long

public career, like an extended sea-coast, was at a disadvantage on the defensive. Love for the man was equally uncompromising, most so at the West, while the defection from him was most pronounced in the East. People not the reverse of sensible likened him to Clay, some of them to Washington. In West Virginia a man risked his life by holding to the rear platform of Blaine's private car as it left the station, begging for some memento of the hero to hang in his house and show his children. Mr. Blaine himself thus described another illustrative incident: "I had the felicity of N——'s company, who dwelt at length on the greatness and grandeur of my character. He intimated that compared with me Abraham, Isaac, and Jacob were 'small potatoes'—all of which in a car and in a loud voice, with many people listening, may be called pleasant entertainment."

Well had it been for James G. Blaine had he always remembered the sage words of Salmon P. Chase, uttered when he was Secretary of the Treasury, as a reason for refusing to accept \$4,200, which represented an increase in value on stocks that he had ordered but not paid for: "To be able to render the most efficient service to our country it is essential for me to *be* right as well as to *seem* right, and to *seem* right as well as to *be* right." It was recited that, in 1869, when a bill to renew a land grant for the Little Rock & Fort Smith Railroad was to be saddled with a fatal amendment, Speaker Blaine, at the request of Arkansas members, had Logan make, while he sustained, a point of order removing the incubus; that he subsequently called the promoters' attention to his agency in the matter, endeavoring to be let into the enterprise "on the ground floor," in which he failed, though appointed selling agent of the bonds with a large commission. Blaine's friends replied that the ruling was proper, being made to frustrate a vicious lobby job and save a desirable piece of legislation which had passed the Senate unanimously. Judge Black, a Democrat, deemed the refutation of the charge wholly satisfactory. Unfortunately, Mr. Blaine's assertion that the Little Rock road derived all

its benefits from Arkansas and not from Congress was inaccurate, since the bill so narrowly saved was one renewing the land grant to the State for the railroad. Blaine's assailants considered this statement clearly a falsehood. Hard to justify was Mr. Blaine's denial of "any transaction of any kind with Thomas A. Scott" concerning Little Rock bonds or railway business. That, through Scott and Caldwell, he did put off upon the Union Pacific some Little Rock bonds at a high price seems certain from a letter which he received from Fisher, with his reply.

Blaine unquestionably offered to get Caldwell an allotment in a new distribution of national bank circulation, writing: "It will be to some extent a matter of favoritism who gets the banks in the several localities, and it will be in my power to cast 'an anchor to the windward' in your behalf if you desire it." Indelicate, if you please, one does not see how this offer necessarily involved corruption. It would seem that Blaine permitted himself to be paid twice over for a loan of \$25,000, once by sale of the collateral, realizing \$30,000, and once, by judgment of the court, from the reorganized Little Rock Company. The utmost was made of a letter and a telegram from Blaine to Fisher, both dated April 16, 1876, coaching Fisher as to the form of vindication for himself. "I want you to send me such a letter as the inclosed draft," he wrote, and, at the bottom, "Burn this letter." At the time of the famous Caldwell cablegram, too, it was discovered that an anonymous despatch had been sent Caldwell similar in tenor to the one returned. Suspicion was thus aroused that all vindictory statements used on behalf of Blaine had been prepared by him.

A Tammany orator said that no Irishman or Catholic would vote for Cleveland. Mr. Blaine was hostile to the political solidarity of any race or religion, and in this respect his influence—attracting Romanists to his party and repelling anti-Catholic zealots—was wholly good. His religion, he said, was Christianity tinged with the Presbyterianism of the Blaines and the Catholicism of the Gillespies. "I would

not for a thousand Presidencies," he declared, "speak a disrespectful word of my mother's religion." Had he lived and continued dominant in Republican councils neither "A. P. A.-ism" nor any Romish counterpart thereof could have arisen.

Whether or not any influence for Blaine emanated from the Catholic clergy, many Irishmen and Catholics sedulously wrought to elect him. This drove some Protestant voters to Cleveland. Nevertheless the vast majority of the Protestant clergy throughout the North strongly favored Blaine. As the campaign drew to its close a goodly party of them waited on their candidate at the Fifth Avenue Hotel to assure him of their unwavering devotion. One Dr. Burchard made the address-in-chief. Apparently holding the Democracy responsible for all the evils of intemperance, religious bigotry, and the war, he ascribed to it the three damning "R's," "Rum, Romanism, and Rebellion." A story not wholly dissimilar was told of Blaine's father, to the effect that when running for protonotary he seemed likely to suffer from a charge that he was a Catholic because his wife was. Mr. Blaine went to the family priest for a certificate of non-membership, which was duly furnished, as follows: "This is to certify that Ephraim L. Blaine is not now and never was a member of the Catholic Church. Furthermore, in my opinion, he is not fit to be a member of any church." The certificate was effectual, and Mr. Blaine triumphantly elected. Not so happy the *dénouement* in our Blaine's case. Burchard's ridiculous alliteration "stuck" in an ugly way in people's minds, and, much as was done to show its insignificance, no doubt lost Blaine many votes. Some thought these enough, if saved, to have made him President.

The Tammany men, after all, mostly voted for Cleveland. Many Democrats foresaw that without Tammany's support New York would be lost and thereby the election. Governor Hendricks, candidate for the Vice-Presidency, strongly felt this, and though a thousand miles away, decided to visit the Empire State as a peacemaker. He sought

John Kelly, then the absolute chief of Tammany Hall, finding him greatly alienated from the party. Kelly insisted that Grover Cleveland was not a Democrat, that he had no claim upon true Democrats for their support, and that if he should be elected he would betray his party. Their conference lasted far into the night. Mr. Hendricks employed all his eloquence and art to persuade Mr. Kelly to favor the ticket. Finally the chief said: "Governor Hendricks, for your sake we will do it. You may go home with my assurance that Tammany Hall will do its duty."

The early returns gave Cleveland the solid South, besides Connecticut, New Jersey, and Indiana. The rest of the North was Republican, save New York, which was in painful doubt and remained so for days. The Empire State was the umpire State. The excitement pending conclusive returns exceeded even that of 1876. Good-humored bluff and chaffing gave way to dangerous irritation as the suspense dragged on. Thursday, November 6th, saw an outbreak in Indianapolis, when the loyal hosts of Democracy sought to carry their banner into the post-office. This premature effort to capture that citadel failed, and the banner was torn to bits, which Republican defenders wore as badges. In Kansas, St. John, the Prohibitionist candidate for President, was burned in effigy. The "Rebel Brigadiers" were the most hilarious, making the Southern sky lurid with fireworks, and the air vocal with salutes, none under a hundred guns. Montgomery on November 6th doubled the number of guns in each salute, and on the 7th four hundred were required to voice her joy. In Boston the streets near newspaper offices were packed solid. Every new bulletin evoked cheers and hoots. A picture, now of Blaine, now of Cleveland, would be raised in air only to be at once seized and shredded. A crowd threw stones and rotten eggs at the "Journal" Building, breaking a large plate-glass window. In New York conflicting statements given out by the great dailies inflamed the populace. The "Tribune" and the "Mail and Express" early ceased to issue bulletins, but the "Herald"

and the "World" kept on, showing majorities for Cleveland. The "Sun" office, where Associated Press despatches favorable to Blaine alternated with the "Sun's" own despatches giving the State to Cleveland, drew the vastest throngs. Six hundred men marched down Broadway shouting "No, no, Blaine won't go!" It being suspected that Jay Gould and the Associated Press were withholding or perverting returns, a crowd demonstrated in front of the Western Union Building with the yell, "Hang Jay Gould!" but policemen soon dispersed them. Some two hundred men before the "Tribune" office burned copies of that paper. So threatening did the excitement become in Chicago that on November 7th Mayor Harrison requested the papers to cease issuing bulletins. In Boston bulletins were discontinued. In Philadelphia political clubs were directed not to parade, persons blowing horns or masquerading on the streets being liable to arrest.

The Democratic managers professed apprehension lest the "fraud of '76" should be repeated in a new guise, and were determined to prevent this. The Electoral Commission, however, now proved to be, to the Democracy, a blessing in disguise. Its rule, "not to go behind the returns," had been made the New York law for procedure like that in hand, and as, upon a count under the most rigid scrutiny, the New York returns footed up a Cleveland plurality of a trifle over a thousand votes, post-election manipulation was impossible. Including those of New York, Cleveland received 219 electoral votes to Blaine's 182. The popular vote reached beyond 10,000,000, of which 4,911,000 were for Cleveland, giving him a plurality over Blaine of 62,000.

